

ZONING BOARD OF ADJUSTMENT
REGULAR SCHEDULED MEETING
CITY COUNCIL CHAMBERS, 2ND FLOOR CITY HALL
5:30 p.m.

MONDAY, MARCH 3, 2025

Hearing taken at Camden City Hall, 520
Market Street, Camden, New Jersey, before Carolyn J.
McCalla, Certified Court Reporter, on the above
date, commencing at 5:30 p.m., there being present:

B E F O R E:

DARNELL HANCE, CHAIRMAN
GUY STILL, VICE CHAIRMAN
KAREN MERRICKS
MARITZA ALSTON
YSABEL NUNEZ
ALICIA RIVERA
URSULA MOSS

A-P-P-E-A-R-A-N-C-E-S:

KYLE F. EINGORN, ATTORNEY FOR THE BOARD

EVITA MUHAMMAD, SECRETARY

DENA MOORE JOHNSON, ENGINEER

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1 **MR. STILL:** Welcome everyone to the
2 Zoning Board of Adjustment regular scheduled meeting
3 March 3, 2025.

4 Reading of the Sunshine Law. In
5 conformance with the Sunshine Law of New Jersey
6 notice of the meeting was posted in the municipal
7 clerk's office on Tuesday, February 25th, 2025.
8 Roll call.

9 **MR. EINGORN:** Chairman Hance?

10 **CHAIRMAN HANCE:** Here.

11 **MR. EINGORN:** Vice Chairman Still?

12 **MR. STILL:** Here.

13 **MR. EINGORN:** Ms. Merricks is
14 currently absent. We do expect her to be here.

15 Ms. Alston is absent.

16 Ms. Nunez is absent but we also expect her.

17 Ms. Rivera?

18 **MS. RIVER:** Present.

19 **MR. EINGORN:** And Ms. Moss?

20 **MS. MOSS:** Present.

21 **MR. EINGORN:** Very good and Miss Mason
22 we do not expect her tonight.

23 So I now do have four members. If I could
24 can I have a motion to approve the minutes for
25 February 2025?

1 **MR. STILL:** I make the motion.

2 **MR. EINGORN:** Do I have a second?

3 **CHAIRMAN HANCE:** Second.

4 **MR. EINGORN:** We have a motion by
5 Mr. Still and a second by Mr. Hance. I'll take a
6 roll call vote. Chairman Hance?

7 **CHAIRMAN HANCE:** Yes.

8 **MR. EINGORN:** Mr. Still?

9 **MR. STILL:** Yes.

10 **MR. EINGORN:** Ms. Rivera?

11 **MS. RIVERA:** Yes.

12 **MR. EINGORN:** And Ms. Moss?

13 **MS. MOSS:** Yes.

14 **MR. EINGORN:** Great. So moved.

15 I will read the list tonight. If you are
16 here let me know. We do have some modifications as
17 well. We do have one deficient notice 522 North
18 27th Street. If anybody is here tonight for that
19 matter the notice was not proper and it will not be
20 heard.

21 Also 1309 Princess Avenue did provide
22 proper notice and it was a little bit of an issue
23 but we figured it out. That matter is going to be
24 adjourned to the April meeting -- April 7th. That
25 will be April 7th and no further notice. If you are

1 here tonight for 130 Princess Avenue, that is not
2 going to be heard. It will be adjourned to April
3 and no further public notice for that matter.

4 Macedonia Baptist Church, 812-814 Kaighn
5 Avenue, this matter is also being adjourned to April
6 7th, 2025. If you are here tonight I apologize that
7 will be heard next month. No further notice.

8 The next matter is PSE&G Spruce Street
9 South 3rd Street. They are here. They also have
10 the next matter following that 900 and 942 Locust
11 Street. For the record we will take those in the
12 opposite order that they are on the agenda.

13 The next matter on the agenda is Yosef
14 Abed, 375 Marlton Avenue. This one is being
15 adjourned to May 5th. May 5th, so if you are here
16 for 375 Marlton Avenue, that will be heard on May
17 5th no further notice.

18 The next matter Kenneth Clark, 609 Berkley
19 Street. Mr. Clark, I saw you. Good evening.

20 **MR. CLARK:** Good evening.

21 **MR. EINGORN:** Lonell Jenkins, 775
22 Ramona Gonzalez Street.

23 **MS. JOHNSON:** I'm waiting for the
24 lawyer. He is on the way.

25 **MR. EINGORN:** That is both 775 Ramona

1 Gonzalez Street and 801 to 803 Pine?

2 **MS. JOHNSON:** Yes.

3 **MR. EINGORN:** They are both present.

4 The last matter is Tarek Turner, 796 Line Street.

5 Good evening. Is it Tarek or Tarek?

6 **MR. TURNER:** Tarek.

7 **MR. EINGORN:** Very good. Then we will
8 have some resolutions when we finish up those. So
9 first, as everyone can see we only have four members
10 right now so we can't do anything that requires a
11 use variance. It looks like PSE&G may need a use
12 variance. So why don't we take Mr. Clark who just
13 needs a certificate of nonconforming use for 609
14 Berkley and we can get him out of here quickly.
15 Hopefully we will have another member shortly.

16 Mr. Clark, how are you this evening?

17 **MR. CLARK:** Fine.

18 **MR. EINGORN:** Raise your right hand.

19 KENNETH CLARK, having been first duly
20 sworn, testified as follows:

21 **MR. EINGORN:** Would you state your
22 name and address for the record please?

23 **MR. CLARK:** Kenneth M. Clark.

24 **MR. EINGORN:** Mr. Clark is here
25 tonight for a cert of nonconforming use for a

1 duplex. He wants it to remain a duplex. Are you
2 selling the duplex? Is that what this is?

3 **MR. CLARK:** Yes.

4 **MR. EINGORN:** Got it. The duplex is
5 located at 609 Berkley Street.

6 **MR. CLARK:** Yes.

7 **MR. EINGORN:** Did you take these
8 photographs, Mr. Clark?

9 **MR. CLARK:** Yes.

10 **MR. EINGORN:** Great. Let the record
11 reflect that I'm holding up a marked packet
12 consisting of 10 photographs. The top photograph in
13 the middle, does that show multiple meters for the
14 property, electrical meters?

15 **MR. CLARK:** Yes, it does.

16 **MR. EINGORN:** How many are there? Is
17 it three?

18 **MR. CLARK:** Yes, three.

19 **MR. EINGORN:** And is one for the
20 common areas?

21 **MR. CLARK:** Correct.

22 **MR. EINGORN:** Is this the photograph
23 at the bottom in the middle, is that a photograph of
24 the basement?

25 **MR. CLARK:** Yes.

1 **MR. EINGORN:** Does that show two water
2 heaters?

3 **MR. CLARK:** Yes, sir.

4 **MR. EINGORN:** That's one for each of
5 the duplex units?

6 **MR. CLARK:** Correct.

7 **MR. EINGORN:** Great. Are these units
8 currently rented?

9 **MR. CLARK:** No.

10 **MR. EINGORN:** They are not rented.
11 Okay. The next page in the packet we have is a tax
12 card for the property card. You provided this as
13 well?

14 **MR. CLARK:** Yes.

15 **MR. EINGORN:** Does this show that the
16 property is being taxed as a duplex?

17 **MR. CLARK:** Yes.

18 **MR. EINGORN:** Great. Do you know how
19 long it has been a duplex?

20 **MR. CLARK:** Since before I bought it.

21 **MR. EINGORN:** When did you purchase
22 the property?

23 **MR. CLARK:** 2000 and -- how long have
24 I had the property? I think it was like 2006 if I'm
25 not mistaken.

1 **MR. EINGORN:** Around 2006? So about
2 19 years.

3 **MR. CLARK:** Yes.

4 **MR. EINGORN:** It has been a duplex the
5 entire time?

6 **MR. CLARK:** Even before that.

7 **MR. EINGORN:** And before that so you
8 purchased it in its current condition?

9 **MR. CLARK:** Correct.

10 **MR. EINGORN:** Great. I can never find
11 the date on these. So let the record reflect that
12 Mr. Clark submitted two -- four property record
13 appraisal cards one from 1959, and as far as you are
14 aware, this has always been a duplex?

15 **MR. CLARK:** Yes.

16 **MR. EINGORN:** Any questions for the
17 applicant?

18 **CHAIRMAN HANCE:** Yes, you had two
19 separate heaters?

20 **MR. CLARK:** Yes.

21 **MR. EINGORN:** Did you have tenants in
22 this property previously?

23 **MR. CLARK:** Previous to, yes.

24 **MR. EINGORN:** It's vacant now?

25 **MR. CLARK:** Yes.

1 **MR. EINGORN:** And you obtained
2 certificates of occupancy and the registrations --

3 **MR. CLARK:** Yes.

4 **MR. EINGORN:** -- from the city, yes.
5 Questions from the board?

6 **CHAIRMAN HANCE:** So you had it since
7 2006, correct?

8 **MR. CLARK:** Yes.

9 **CHAIRMAN HANCE:** And you had tenants
10 at that time?

11 **MR. CLARK:** Yes.

12 **CHAIRMAN HANCE:** And now you are going
13 to resell it, you want to resell it?

14 **MR. CLARK:** Correct.

15 **MR. EINGORN:** Open for vote?

16 Anybody here tonight from the public that
17 would like to be heard on the matter of Kenneth
18 Clark, 609 Berkley Street?

19 Seeing and hearing no public comment we
20 will close the public portion.

21 The applicant is here tonight seeking a
22 cert of nonconforming use for the property at 609
23 Berkley Street. The applicant has testified that he
24 has owned the property for about 19 years and
25 purchased it as a duplex and it has been a duplex as

1 far as he knows dating back a long time.

2 If the board has any further questions
3 otherwise we can use a discussion and a motion.

4 **CHAIRMAN HANCE:** Okay, so I say also,
5 I see two separate mailboxes here, you have two
6 separate hot water heaters, electric and also two
7 separate heaters.

8 **MR. EINGORN:** It seems the evidence
9 presented does support the fact that this was a
10 preexisting duplex and should be granted. It is
11 under the grandfather clause for the nonconforming
12 use as appropriate under the circumstances.

13 **MR. STILL:** I have a motion to pass.

14 **MR. EINGORN:** We have a motion to pass
15 by Mr. Still. Do we have a second?

16 **CHAIRMAN HANCE:** Second.

17 **MR. EINGORN:** We have a second by
18 Mr. Hance. We will take a roll call vote.

19 Chairman Hance?

20 **CHAIRMAN HANCE:** Yes.

21 **MR. EINGORN:** Vice Chairman Still?

22 Mr. Still: Yes.

23 **MR. EINGORN:** Ms. Rivera?

24 **MS. RIVERA:** Yes.

25 **MR. EINGORN:** And Ms. Moss?

1 Ms. Moss: Yes.

2 MR. EINGORN: Having three in favor
3 and none opposed, the motion passes. Thank you,
4 Mr. Clark. It was nice meeting you.

5 MR. CLARK: Thank you. Nice meeting
6 you all. Thank you.

7 MR. EINGORN: The members are running
8 late tonight. All right, is Lonell Jenkins, 775
9 Ramona Gonzalez Street ready to go forward?

10 MR. SUNKETT: Yes. Good evening,
11 Mr. Chair, members of the board.

12 CHAIRMAN HANCE: How are you?

13 MR. SUNKETT: Good evening, Jason
14 Sunkett, Cherry Hill, New Jersey. I have my
15 professional here, Lisa Johnson.

16 MS. JOHNSON: Lisa Johnson.

17 MR. SUNKETT: Were you sworn in yet?

18 MS. JOHNSON: No.

19 MR. SUNKETT: I'm here on behalf of
20 Lonell Jenkins on the property 801 and 803 Pine
21 Street and Ramona Gonzalez Street.

22 As you know, we are seeking variances here
23 bulk variances for onsite deficiency with also the
24 depth and off street parking. That really applies
25 to both properties here.

1 I would like to if we could swear in our
2 professional here.

3 **MR. EINGORN:** Great. Ms. Johnson, if
4 you want to come forward. Would you raise your
5 right hand please.

6 ALYCE JOHNSON, having been first duly
7 sworn, testified as follows:

8 **MR. EINGORN:** State your name and
9 address please. You can use the business address.

10 **MS. JOHNSON:** Alyce Johnson, 423
11 Market Street, Camden, New Jersey 08102.

12 **MR. SUNKETT:** Before I get into it, I
13 will state for the record Mr. Jenkins has a heavy
14 travel schedule. He has been out west so we haven't
15 been able to have him. So we are going to move as
16 best we can without him.

17 Do you want to, Ms. Johnson, do you want to
18 set this up in terms of 775 Ramona.

19 **MR. EINGORN:** Let the record reflect
20 that Ms. Nunez is present. We are on the
21 application 775 Ramona Gonzalez Street.

22 **MR. SUNKETT:** How many photographs?
23 Is there the one? How many exhibit do we need to
24 mark I guess for this?

25 **MS. JOHNSON:** For 775 is one exhibit.

1 **MR. SUNKETT:** One exhibit, so can we
2 mark that Exhibit 1, is that okay?

3 **MR. EINGORN:** Sure. We will mark the
4 poster as Exhibit 1.

5 (Exhibit 1, Poster of proposed
6 property, was marked for identification.)

7 **MS. JOHNSON:** It will probably be two.
8 We have drawings already.

9 **MR. EINGORN:** I believe we have the
10 drawings attached to the application.

11 **MS. JOHNSON:** We have two, the photo
12 and the floor plans.

13 **MR. EINGORN:** The floor plans are
14 exhibit 2.

15 (Exhibit 2, Floor plan, was marked for
16 identification.)

17 **MR. SUNKETT:** Ms. Johnson, can you
18 just show us what we're looking at here in terms of
19 the outlay?

20 **MS. JOHNSON:** For 775 Ramona Gonzalez
21 Street we're looking at the aerial view and the
22 reason, so this is the aerial view. It's not too
23 clear, but it is the aerial view. This is the tax
24 map I'm just highlighting, this is for 775 Ramona
25 Gonzalez. The main purpose of this photo or

1 presentation is right next door to it, adjacent to
2 it is a party wall.

3 Mr. Lonell Jenkins, the owner, is currently
4 building, in the process of building two duplexes
5 which was approved by the city zoning and these are
6 views of the duplex that is currently under
7 construction and we're just building, we're actually
8 rebuilding, replacing the existing building that was
9 demolished in 2024 last year, actually 2023.

10 So we're just replacing that building with
11 a duplex that coincides with the existing two
12 duplexes that is under construction.

13 This is the front view and this is pretty
14 much cookie cutter. It will be the same exact
15 layout as the existing building that is under
16 construction.

17 **MR. SUNKETT:** Can I ask a question? I
18 don't want to interrupt you. If you can just tell
19 us about I guess the layout in terms of entrances,
20 exits, whether it's meters, that situation, a little
21 bit about that.

22 **MS. JOHNSON:** Yes, we have two exits
23 for the first floor, Ramona Gonzalez, the main
24 entrance, the main entrance for both apartments.
25 You come in the first one door, one entrance which

1 is separated down the hallway for the first floor
2 and the stairway to the second floor and also the
3 basement has two bedrooms, one in the rear and one
4 in the front for each apartment, consists of one
5 restroom, living room and kitchen, basic, basic
6 housing for the tenants.

7 **MR. SUNKETT:** Is there any space for
8 the attic for anything, storage or living?

9 **MS. JOHNSON:** It is a two, this is a
10 two-story with basement, the basement is just open
11 space. You might come back for triplex, but right
12 now it's open space for storage or whatever the
13 owner deems to be necessary.

14 **MR. SUNKETT:** And what about in terms
15 of meters, electrical meters, heater, water
16 situation?

17 **MS. JOHNSON:** Each unit will have its
18 own meter, own meter and also heating system. So
19 two, two heating systems, two meters, three meters
20 for common space.

21 **MR. SUNKETT:** And in terms of there is
22 no parking or driveway on the structure; is that
23 correct?

24 **MS. JOHNSON:** No, there is pretty much
25 on-street parking. There are quite a few vacant

1 properties on that lot, but however, this is the,
2 this is 775, the owner, Mr. Lonell Jenkins, he also
3 owns the property behind it and also the property on
4 the side. So he proposes coming your way for that
5 as well for parking for future development.

6 For this particular property we are asking
7 for on-street parking.

8 **MR. SUNKETT:** Anyone have any
9 questions about what you have seen so far?

10 **MR. EINGORN:** So I have it straight,
11 to, from facing the front of the building, the front
12 of the building to be constructed, to the right
13 Mr. Jenkins is constructing two duplexes on that
14 side?

15 **MS. JOHNSON:** Yes.

16 **MR. EINGORN:** That will share a party
17 wall with the duplex or a walkway?

18 **MS. JOHNSON:** Party wall.

19 **MR. EINGORN:** On the left, what's on
20 that side?

21 **MS. JOHNSON:** This side is open space.

22 **MR. EINGORN:** Open space.

23 **MS. JOHNSON:** Yes, but the adjacent
24 owner's property.

25 **MR. EINGORN:** But Mr. Jenkins does not

1 own that property to the left?

2 **MS. JOHNSON:** No.

3 **MR. EINGORN:** Got it.

4 **MR. SUNKETT:** Does anyone else have
5 any questions?

6 I would say if I can talk briefly about the
7 criteria if I may.

8 **MR. EINGORN:** Please.

9 **MR. SUNKETT:** So I would say in terms
10 of the positive impact, certainly there is a need
11 for housing in the city. If I may ask in terms of
12 the income level of the housing, can you comment on
13 that?

14 **MS. JOHNSON:** We did, he did mention
15 that he is, has filed an application with the To
16 Keep Families Together, KFT, the application in to
17 help low income housing. So he is trying to be a
18 part of that as well to endorse that.

19 **MR. SUNKETT:** Again, I would say the
20 city master plan does recommend expanding of
21 housing. It certainly is attracting the households
22 of low and moderate income and certainly what he is
23 going to do here is going to be a nice project. He
24 has built before successfully and without any
25 issues. So he has done this. He is successful. He

1 plans to keep doing, putting up nice properties,
2 taking up lots and maybe even blighted properties
3 and making a nice quality housing for folks. We
4 certainly need that in the city.

5 So I would say it would be a positive
6 impact. Certainly with regard to negative,
7 certainly with the way these lots are in the shape,
8 really there is really not much to do. So it would
9 be I would say a hardship if you couldn't grant
10 these variances here. So it is I would say a
11 hardship.

12 What he is trying to do is just really
13 have, seek, he owns the other properties, he is
14 trying to have this cohesive plan to have this
15 altogether as he owns the adjacent properties. So,
16 again, I think without that he couldn't do it and it
17 would just continue to be, to sit there and not be
18 used.

19 As was stated, we really don't have
20 anyplace to park on the property. There is plenty
21 of off-street parking at this time. So we certainly
22 request that variance relief.

23 **MR. EINGORN:** One of the items on the
24 denial letter is a zoning schedule that provides the
25 information. I think what we usually get at least

1 on the plans is something that says this is the bulk
2 requirement, this is what we have, and it goes
3 through the different items. Is the applicant able
4 to provide that as a condition of approval?

5 **MR. SUNKETT:** That shouldn't be a
6 problem, right?

7 **MS. JOHNSON:** I think we already
8 submitted that, we already submitted that so far for
9 the requirements, the bulk requirements.

10 **MR. EINGORN:** Correct.

11 **MS. JOHNSON:** What is proposed.

12 **MR. SUNKETT:** May I?

13 **MR. EINGORN:** Please great. This is
14 for, this is for 801 to 803 Pine Street.

15 **MR. SUNKETT:** Oh, is it the wrong one,
16 sorry. I don't want to get this mixed up. I will
17 hand it back to you and we can take that next time.

18 **MS. JOHNSON:** No, for the condition,
19 we will provide it.

20 **MR. EINGORN:** You will provide it with
21 the condition of approval, great. So, counsel, do
22 you have any other witnesses?

23 **MR. SUNKETT:** I do not.

24 **MR. EINGORN:** Or argument you would
25 like to make?

1 **MR. SUNKETT:** I do not.

2 **MR. EINGORN:** Does the board have
3 questions for the applicant?

4 **MR. STILL:** You may or may not know
5 this. What time of day were these pictures taken?
6 Just because if parking is a big deal with this
7 particular permit, there may be parking now, but
8 when people come home and people actually that live
9 around there park, it may not be. So I don't know
10 if, what time, do you remember what time of day? Go
11 ahead, I'm listening.

12 **MR. SUNKETT:** I will let Ms. Johnson
13 speak, but she did say and it is my understanding
14 there are some vacant properties around so you would
15 think there would be spots because not every
16 property is occupied by a homeowner or a tenant,
17 would that be fair to say?

18 **MS. JOHNSON:** Yes. I took this early
19 in the morning on my way to work these pictures.
20 These right here this is a Google Earth picture
21 right here.

22 **MR. SUNKETT:** Do you have a timeframe
23 for that because early is different for different
24 people?

25 **MS. JOHNSON:** I go to work at 8:30,

1 9:00. Also for parking, this lot also belongs to
2 him, which is right down the way, and hopefully in
3 the future he will have additional parking.

4 **MR. STILL:** Okay.

5 **MR. EINGORN:** So the denial letter
6 says this is an R-2 zone, not a permitted use. So
7 we're not here for the use variance. We are just
8 here for the bulk items, lot size, coverage, and the
9 rear side and front yard setbacks. The applicant --
10 is the applicant building on the prior footprint of
11 the building that was demolished?

12 **MS. JOHNSON:** Yes.

13 **MR. EINGORN:** So only the footprint.
14 And then the other bulk variance request is
15 off-street parking which we know is provided --
16 likely couldn't be provided even if this was a
17 single family house.

18 Any additional questions for the applicant?
19 Additional questions for the applicant?

20 Let the record reflect that Ms. Merricks is
21 here. Ms. Merricks, did you walk in during this
22 application?

23 **MS. MERRICKS:** I didn't hear it.

24 **MR. EINGORN:** No other questions?

25 **CHAIRMAN HANCE:** No.

1 **MR. EINGORN:** Open to public. Anybody
2 here tonight that would like to address the
3 applicants for 775 Ramona-Gonzalez Street?

4 Hearing none, seeing none, we will close
5 the public portion.

6 The applicant appeared tonight seeking bulk
7 variances C-1 bulk variances as discussed for a
8 proposed construction of a duplex. The board should
9 do a discussion of the positive and negative
10 criteria and propose a resolution.

11 **CHAIRMAN HANCE:** I think it is a great
12 idea. Camden has grown. We're definitely going to
13 need duplexes and apartments and everything to help
14 out the people and the community. Something new
15 going up is always a good thing and something old is
16 a lot of work involved doing the electric, the
17 plumbing, the walls, so I think it is a great idea.

18 **MR. STILL:** Yes, I think, I think also
19 what makes it a great idea is because I've
20 experienced, I'm a resident of Camden, I experience
21 where there is empty areas like that next to houses,
22 residents tend to kind of try to use that as like a
23 parking lot and it's not supposed to be used as a
24 parking lot so I have experienced that. So I do
25 believe constructing something on that space is a

1 great idea as well.

2 **MR. EINGORN:** Any other comments or a
3 motion?

4 If the board is to consider a motion to
5 approve this application it should be on the
6 condition that the applicant provides the zoning
7 schedule that Dr. Williams outlined in his denial
8 letter of October 15th.

9 **MR. STILL:** I agree with that
10 condition.

11 **CHAIRMAN HANCE:** The zoning schedule,
12 it has to pass the zoning schedule.

13 **MR. STILL:** No, not a pass. I said I
14 agree with having to supply the zoning schedule.

15 **CHAIRMAN HANCE:** I make a motion to
16 pass with the condition of having the zoning
17 schedule. I just told you that.

18 **MR. EINGORN:** Do we have a second?
19 We have a motion. Do we have a second?

20 **MR. STILL:** Second.

21 **MR. EINGORN:** Roll call vote.
22 Chairman Hance?

23 **CHAIRMAN HANCE:** Yes.

24 **MR. EINGORN:** Vice Chairman Still?

25 **MR. STILL:** Yes.

1 **MR. EINGORN:** Ms. Merricks, I will
2 skip you because you didn't hear the whole thing.

3 Ms. Nunez?

4 **MS. NUNEZ:** Yes.

5 **MR. EINGORN:** Ms. Rivera?

6 **MS. RIVERA:** Yes.

7 **MR. EINGORN:** And Ms. Moss.

8 **MS. MOSS:** Yes.

9 **MR. EINGORN:** Five in favor and none
10 opposed, the motion passes.

11 **MR. SUNKETT:** Thank you.

12 **MR. EINGORN:** Now we have the next
13 matter which I believe is similar.

14 **MR. SUNKETT:** Yes, it's 801-803 Pine
15 Street and Mr. Jenkins is the owner of Steel Arrow
16 Properties and we are here for a variance bulk,
17 variances for lot size deficiency, lot depth
18 deficiency, lot width deficiency and, again,
19 off-street parking variances needed for this as
20 well.

21 As we've stated, we are trying to put some
22 housing in here. It is nice things are built
23 downtown, big shiny buildings, but really we are
24 trying to do something for the people who reside in
25 Camden. So I do echo Mr. Hance's, Chairman Hance's

1 sentiment about housing is a good thing. So we
2 intend to do that.

3 Mr. Jenkins has done this before and I
4 think he is pretty good at it and we just want to
5 make sure we do all the right things here and put
6 something that everyone can be proud of and
7 comfortable with.

8 So having said that, Ms. Johnson, if you
9 can outline it. How about this in terms of
10 exhibits, do we need those?

11 **MR. EINGORN:** We will mark the
12 additional poster Exhibit 1.

13 (Exhibit 1, Poster of proposed
14 property, was marked for identification.)

15 **MS. JOHNSON:** Three.

16 **MR. EINGORN:** And then.

17 **MR. SUNKETT:** We have three exhibits
18 for this one.

19 **MR. EINGORN:** Is this the second
20 exhibit the existing site plan?

21 **MS. JOHNSON:** Yes.

22 **MR. EINGORN:** We will mark that
23 Exhibit 2.

24 (Exhibit 2, Existing site plan, was
25 marked for identification.)

1 **MR. EINGORN:** And Exhibit 3 will be
2 the floor plans.

3 (Exhibit 3, Floor plans of proposed
4 property, was marked for identification.)

5 **MR. SUNKETT:** Ms. Johnson, if you can
6 outline what we are viewing here.

7 **MS. JOHNSON:** We are just speaking
8 about 775 Ramona-Gonzalez, which is in this area.
9 The new build will be right down Ramona-Gonzalez up
10 one block from Pine Street and right there on the
11 corner of 9th and Pine. This is the corner lot.
12 The corner lot is two lots. We are asking for a
13 consolidation. Most lots are about 15 to 14 feet in
14 width we want to consolidate these lots to kind of
15 give it a little bit more, give some, some side yard
16 at least. So we will put this right in this middle,
17 six feet on one side and three feet on the other
18 right in the middle of the two lots. Same cookie
19 cutter duplex which is here, and as far as parking,
20 we have the entire side and there is, I don't see
21 too much parking on this street, but there is
22 parking on Pine Street.

23 This is what we have. This is just a
24 preliminary of what will go there on the lot for a
25 3D rendering as it fits. So we have three to four

1 feet side yard to the adjacent building and six feet
2 on the side for the drive, for the walkway and this
3 is an existing site plan, two lots. They were
4 consolidated with the house being pretty much new.

5 **MR. SUNKETT:** You said cookie cutter,
6 two stories with the basement as well, the same?

7 **MS. JOHNSON:** Two stories, duplex with
8 a basement. The first floor will house the first
9 apartment and the second floor will house the second
10 apartment and the basement is pretty much open
11 space.

12 **MR. SUNKETT:** That is one entrance
13 then going to two separate doors or two entrances?

14 **MS. JOHNSON:** One entrance going to
15 two separate doors.

16 **MR. SUNKETT:** Okay.

17 **MS. JOHNSON:** That's pretty much the
18 same floor plan on 775 Ramona-Gonzalez. The only
19 difference is Ramona-Gonzalez will be on the left,
20 step from the left, 801 Pine Street will be step
21 from the right. It will be a mirror image of the
22 existing structure.

23 **MR. SUNKETT:** Does anyone have any
24 questions with regard to that?

25 I can go into, again, the same criteria

1 that I think it's a great idea. I do not think
2 there is any negative impact in the area. I think
3 it is prime for what the city needs, housing. It's
4 a great location. We are I think carving out some
5 space for it. There is parking as we stated on the
6 side. I believe it's consistent with the master
7 plan.

8 **MR. STILL:** Do you -- sorry to
9 interrupt.

10 **MR. SUNKETT:** Go ahead.

11 **MR. STILL:** I don't see any fencing
12 around the side yard, right? Do you know
13 Mr. Jenkins' plan with this side yard? Is it to
14 beautify the area? Is it to cement it?

15 **MS. JOHNSON:** Just to beautify it. I
16 don't think there is any plan for fencing it off,
17 but that's for him.

18 **MR. STILL:** So beautifying it meaning
19 it will be grass maybe instead of cement.

20 **MS. JOHNSON:** Exactly, we have grass
21 there.

22 **MR. STILL:** Gotcha.

23 **MS. JOHNSON:** There will be flowers
24 there to decorate it.

25 **MR. SUNKETT:** According to the

1 photograph it looks nice. There is some greenery.

2 **MR. STILL:** Correct.

3 **MR. SUNKETT:** It's not all concrete.

4 **MR. STILL:** Yes. Houses are nice, but
5 beautifying the area is even better.

6 **MR. EINGORN:** Questions, any other
7 questions?

8 Anybody in the public tonight that would
9 like to be heard on the matter of 801 to 803 Pine
10 Street?

11 **MR. SUNKETT:** Did you want me to get
12 the zoning schedule? I gave it to you last time.
13 You have it.

14 **MR. EINGORN:** We actually have it.

15 **MR. SUNKETT:** I wanted to make sure
16 you have what you need.

17 **MR. EINGORN:** That's not a condition
18 here. I'm sorry. I didn't mean to cut you off.

19 **MR. SUNKETT:** I didn't mean to cut you
20 off.

21 **MR. EINGORN:** I got you first.
22 Anybody in the public here tonight that wants to be
23 heard on the 801 to 803 Pine Street --

24 Hearing none and seeing none we will close
25 the public portion. The applicant is here tonight

1 requesting bulk variance approvals for lot size, lot
2 depth, lot width and off-street parking for a
3 proposed construction of a duplex in the R-2 zoning
4 district where that is a permitted use. They are
5 proposing to consolidate the lots. So as a
6 condition of approval we should see the copy of the
7 deed of consolidation if that's how you are
8 consolidating. Otherwise we need a discussion and
9 motion.

10 **CHAIRMAN HANCE:** I think it's also
11 positive. I worked in that area for 27 years.
12 It's -- it needs a facelift. There is a lot of
13 trees and grass and lots back there and hopefully
14 this is a first to make a second, third and fourth
15 to bring that area back. We need Camden strong
16 again and I think that's one way to do it and what I
17 like is new construction. I really do.

18 A lot of these old houses and I have been
19 saying it since I have been here, hopefully it gets
20 warmer soon because we had three or four fires
21 already. So I would rather knock it down and
22 rebuild it new and put people in there that's going
23 to appreciate it.

24 **MR. STILL:** Absolutely.

25 **MR. EINGORN:** Any other questions,

1 discussion, motion?

2 **MR. STILL:** Quick question. So the
3 last one we talked about we talked about the level
4 of affordable housing that it was going to be. Is
5 this one the same, going to be the same way?

6 **MS. JOHNSON:** Yes, same.

7 **MR. STILL:** Thank you. That's it.
8 That's another great thing about affordable housing
9 units, not only new from ground up, but being
10 affordable as well. Good idea. Motion to pass.

11 **MR. EINGORN:** With that condition.

12 **MR. STILL:** With the condition, yes.

13 **MR. EINGORN:** Providing the
14 consolidation of deed, do we have a second?

15 **MR. STILL:** Yes.

16 **CHAIRMAN HANCE:** Second.

17 **MR. EINGORN:** Second by Chairman
18 Hance. I will take a roll call vote. Chairman
19 Hance?

20 **CHAIRMAN HANCE:** Yes.

21 **MR. EINGORN:** Vice Chairman Still?

22 **MR. STILL:** Yes.

23 **MR. EINGORN:** Ms. Merricks?

24 **MS. MERRICKS:** Yes.

25 **MR. EINGORN:** Ms. Nunez?

1 **MS. NUNEZ:** Yes.

2 **MR. EINGORN:** Ms. Rivera?

3 **MS. RIVERA:** Yes.

4 **MR. EINGORN:** And Ms. Moss?

5 **MS. MOSS:** Yes.

6 **MR. EINGORN:** Having six in favor and
7 none opposed, the motion carries.

8 **MR. SUNKETT:** Thank you, Mr. Chairman
9 and members of the board. Thank you very much.

10 **MR. EINGORN:** Have a nice night.

11 **MS. JOHNSON:** Thank you very much.

12 **MR. EINGORN:** Let's jump back to the
13 top, PSE&G. Note for the record we will be hearing
14 900 and 942 first. Why don't we swear Dena in while
15 we're sitting here.

16 DENA MOORE JOHNSON, having been first duly
17 sworn, testified as follows:

18 **MR. LETIZIA:** Good evening.

19 **MR. EINGORN:** Ready when you were.

20 **MR. LETIZIA:** Good evening,
21 Mr. Chairman, members of the board. Tom Letizia, I
22 am the attorney from the law firm of Troutman Pepper
23 Locke representing Public Service Electric & Gas,
24 better known as PSE&G, which is a New Jersey public
25 utility and PSE&G is the applicant for the subject

1 application and the owner of the subject lots.

2 Notice of this hearing was published in the
3 official newspaper and mailed by certified mail to
4 all property owners within 200 feet as required by
5 law. Affidavits confirming the same were filed with
6 Dr. Williams and Ms. Mohammed and I ask your counsel
7 to confirm that the board does have jurisdiction to
8 hear this matter.

9 **MR. EINGORN:** Notice was proper for
10 tonight's meeting. We do have jurisdiction to hear
11 it.

12 **MR. LETIZIA:** Thank you. So this is
13 the first of two applications PSE&G has on the
14 agenda tonight. We are, we are going to switch the
15 order of the agenda and first talk about the new
16 breaker station project.

17 We have to cover a lot of ground
18 unfortunately because we need to enter on the record
19 the legal proofs for both variances and waivers.
20 However, we are respectful of everyone's time and we
21 will try to be expeditious and concise as much as
22 possible, while also giving the board sufficient
23 information in order to make an informed decision.

24 I also want to mention at the start that
25 PSE&G's team has been working with the board's

1 engineer, Ms. Johnson, to respond to her questions
2 and has already agreed to some design changes in
3 response to her comments which are set forth in her
4 view letter I believe of January of this year. We
5 appreciate her insight and input and we are hopeful
6 that this groundwork will help keep things moving
7 tonight.

8 In addition, I will note for the record
9 that the Camden chief, fire chief marshal, Joe Tull,
10 has reviewed and approved both applications, but
11 again we are just talking about the first one here.
12 I have a February 17th, 2025 approval letter which
13 if it has not been received by Evita, let's mark
14 that into the record then. I have four copies of
15 his letter and he notes that he has reviewed and
16 approved both projects.

17 **MR. EINGORN:** Great. Would you like
18 to mark this letter?

19 **MR. LETIZIA:** Yes, let's mark it A-1.

20 **MR. EINGORN:** Very good.

21 (Exhibit A-1, Approval letter from Joe
22 Tull, February 17, 2025, was marked for
23 identification.)

24 **MR. LETIZIA:** So as I mentioned, PSE&G
25 is a public utility and under New Jersey law, public

1 utilities are utility companies that provide a
2 critical beneficial service, in this case
3 electricity to the public, and is regulated by the
4 New Jersey Board of Public Utilities or the BPU, as
5 well as the Federal Energy Regulatory Commission or
6 FERC.

7 PSE&G serves an important community wide
8 function and BPU and FERC oversee its operations in
9 order to ensure it offers safe, adequate and proper
10 utility service at reasonable rates to customers.

11 So the property which is the subject of
12 this first application consists of two lots. It is
13 currently a vacant lot located at 900 Locust Street,
14 which is identified as block 237, lot 55 on the city
15 tax map, and the second lot is 942 Locust Street,
16 which is currently developed with PSE&G's Locust
17 Street electrical substation. The substation
18 property is identified as lot 1 in block 243 on the
19 tax map.

20 PSE&G proposes improvements on both lots in
21 order to improve service reliability to its
22 customers as we will describe in our presentation.
23 The two lots are in the R-2 residential zone which
24 does permit public utilities such as PSE&G as a
25 conditional use. However, this application does not

1 meet all of the required conditions of a public
2 utility use.

3 I'm going to leave the discussion of the
4 specifics of the improvements to our witnesses, but
5 I want to at this time and, again, I beg for a
6 little patience here, I want to summarize for the
7 board both the variance and design waiver relief
8 that is being sought. Our witnesses will provide
9 the support for this relief.

10 So the first is with regard to variances
11 and we have two groups of variances. The first one
12 is what's called D variances under N.J.S.A.
13 40:55D-70(D) of the municipal land use law and we
14 have two such variances. So the first D variance is
15 a D-3 variance for relief from some of the specific
16 conditions of the conditional use standards which
17 are set forth in section 870-191 of the city
18 ordinance pertaining to public utility facilities.
19 Specifically the deviations are the following: The
20 first deviation is from section 870-191 (b) which
21 requires all area and bulk requirements of the zone
22 to be met, and I will describe in a moment what
23 specific deviations we are asking for.

24 The second deviation is from section
25 870-191 (d) which requires any materials stored in

1 or staging of repair crews to be within a completely
2 enclosed building to permit repair of the utility
3 equipment.

4 PSE&G will have some material and crews on
5 site only during a need for maintenance of the
6 facility and none of that will be inside the
7 building. Therefore, we need a deviation.

8 The final deviation is from section 870-191
9 (g) which requires landscaping including shrubs,
10 trees and lawns to be provided. As we will explain,
11 no landscaping is proposed in connection with this
12 breaker station.

13 The second type of D variance is what's
14 known as a D-6 variance and this is for heights
15 greater than 10 feet or 10 percent above the maximum
16 allowed in the R-2 zone. The R-2 zone limits
17 buildings at 35 feet which is set forth in section
18 870-56 of your ordinance. The improvements for this
19 station will consist of some lightning masts and
20 what are called H-frames and they will be
21 approximately 51 feet in height and there will also
22 be transmission poles installed or monopoles and
23 they are at 72 feet.

24 Now the second group of variances which are
25 known as C or bulk variances, there are a total of

1 eight such variances and I will quickly go through
2 them. The first C variance is from section 870-56
3 of the city ordinance which sets forth a minimum
4 height requirement of 30 feet in the R-2 zone to
5 allow certain proposed structures including 27 foot
6 high poles and 22 foot high isolation wall on what
7 is lot 1 and a 17.6 foot tall control house on lot
8 55. These are not occupied structures. So it
9 really doesn't matter that we are below 35 feet.

10 The next C variance is from section 870-56
11 of the city ordinance which provides a maximum
12 allowable lot or site area between 2,000 and 4,000
13 square feet based on the type of residential use
14 proposed. Obviously, again, we are not proposing
15 residential uses.

16 **MS. MOORE JOHNSON:** Since you are
17 going through the bulk variances, I think I may have
18 noted more than eight. Can we do the bulk variances
19 through the testimony and then you already put on
20 record everything for the D variances. Is that
21 okay?

22 **MR. EINGORN:** So what we usually do
23 because it is a little quicker, is we usually get
24 like a synopsis of what's going, what you are doing,
25 and then we run through Dena's letter which

1 addresses all the bulk variances and then we take
2 some planning testimony and we call it a night. I
3 don't mean to cut you off, but if that would be
4 preferable to you we offer that.

5 **MR. LETIZIA:** As long as we cover all
6 the relief that is required.

7 **MR. EINGORN:** Right. We will
8 discuss --

9 **MS. MOORE JOHNSON:** And you did
10 everything for the D variances, but then you
11 mentioned eight and I list a lot, I list more than
12 eight once we get through the testimony. So if it's
13 not needed that's fine.

14 **MR. LETIZIA:** That might be a
15 difference of opinion on whether they are variances
16 or waivers.

17 **MS. MOORE JOHNSON:** Well, according to
18 Camden's ordinance, which we've been doing since the
19 ordinance came -- well, what I have noted as
20 variances are variances, and then what I have noted
21 as waivers are waivers.

22 **MR. LETIZIA:** Well, a standard is a
23 variance. It's in the zoning code.

24 **MS. MOORE JOHNSON:** Right, and if it's
25 referenced in the zoning code --

1 **MR. LETIZIA:** If it's in the site plan
2 it's a waiver.

3 **MS. MOORE JOHNSON:** Well, from my
4 understanding, but I'm not an attorney to argue with
5 you, but my understanding the way we've been doing
6 it in Camden if it's referenced in the zoning
7 section then it's a variance.

8 **MR. LETIZIA:** Okay.

9 **MS. MOORE JOHNSON:** And what the
10 zoning references here would be lighting, fencing,
11 it does reference it in the zoning part. It says
12 refer to section something and that's in the zoning
13 section which makes it a variance. That's the way
14 we have been doing it since this ordinance came to
15 be in 2011.

16 **MR. LETIZIA:** That's fine. We will
17 address all that relief.

18 **MS. MOORE JOHNSON:** Right.

19 **MR. LETIZIA:** I just wanted to be
20 clear what the burden of proof is.

21 **MS. MOORE JOHNSON:** That's fine. I
22 think your burden of proof will be fine with the
23 board. I just wanted, I know we just wanted to get
24 to the testimony to get to the other so we can go
25 through it.

1 **MR. LETIZIA:** We will address it as
2 part of the testimony.

3 **MS. MOORE JOHNSON:** Yes.

4 **MR. LETIZIA:** So just before I call
5 our witnesses I just want to make the point that in
6 reality most of these items that I started
7 discussing really fall into two categories. One is
8 variances which relate to the residential use or
9 individual residential lots, which in actuality
10 should not apply to this use. So that's the one
11 reason why we need all this relief because it's not
12 a residential use.

13 The second category or really the variances
14 are necessary in order to provide a safe condition
15 for this particular use. In other words, just by
16 way of example, I talked about these heights, there
17 needs to be a minimum amount of height between
18 transmission lines in order for those lines to be
19 safe, for example. That's why you have to have some
20 tall structures within a station. So that's an
21 example.

22 So with that, we can begin our
23 presentation. I call first Mr. Warren Reichle.

24 **MS. MOORE JOHNSON:** So we are just
25 going right to the letter or did you want to put

1 some -- can we go right to the letter, if that's
2 okay?

3 **MR. LETIZIA:** Whatever, whatever is
4 your -- if you want to hear the letter first before
5 we put on our --

6 **CHAIRMAN HANCE:** Yes.

7 **MS. MOORE JOHNSON:** Yes, they all want
8 to hear the letter first and I will go through the
9 letter very quickly.

10 **MR. LETIZIA:** That's fine.

11 **MS. MOORE JOHNSON:** Because we have, I
12 put -- what you mentioned in your testimony I have
13 spoken with the design team. We've gone through a
14 lot of this. I have told them basically what we
15 need to put on record would be the variances and
16 waivers that I have noted. Otherwise, the sections
17 we've discussed everything, we have gone through, we
18 went through everything line by line already. So
19 some of the sections that don't have a variance or
20 waiver I'm just going to go through because we'll
21 work through everything and I will get everything
22 revised. We've done this. You are familiar with
23 PSE&G coming to the board.

24 **CHAIRMAN HANCE:** Yes.

25 **MS. MOORE JOHNSON:** So we are going to

1 just go through the letter. I know it's quite a bit
2 so I'm going to try and get through it as quickly as
3 I can and have the correct testimony on record.

4 **MR. EINGORN:** So as we go through the
5 letter we'll elicit the testimony required to
6 support the variances and waivers. So who do you
7 have witnesses that you would like to address this?
8 I mean I can swear everybody at once and they can
9 come up as necessary.

10 **MR. LETIZIA:** Yes, for this
11 application I have three witnesses.

12 **MR. EINGORN:** Great. Do you want to
13 send them forward and we will swear them

14 WARREN REICHLE, having been first duly
15 sworn, testified as follows:

16 **MR. EINGORN:** State your name and
17 address for the record business address is fine.

18 **MR. REICHLE:** Warren Reichle,
19 R-E-I-C-H-L-E. Business address is 80 Park Place,
20 Newark, New Jersey.

21 **MR. WILSON:** Christopher Wilson,
22 W-I-L-S-O-N, business address is 9400 Ward Parkway
23 Kansas City, Missouri.

24 **MR. RICCI:** Paul Ricci, R-I-C-C-I, 177
25 Monmouth Avenue, Atlantic Highland, New Jersey. I'm

1 the professional planner for tonight.

2 **MS. MOORE JOHNSON:** So we are going to
3 go right to the letter. So I'm referring to
4 Remington & Vernick letter dated January 23, 2025,
5 and you have heard the testimony regarding the D
6 type variances which were mentioned. The D-6, the
7 height variance, D-3, the conditional use variance,
8 you understand why they are in front of this board
9 because the conditional use they are not able to
10 meet certain conditions, certain conditions and so
11 they are here.

12 We have noted in the letter regarding the
13 special reasons, positive and negative criteria
14 which we'll hear from later on concerning those.

15 Moving forward to the area and bulk
16 requirements, I will point out the maximum lot area
17 what is required is 3,000 square feet. Proposed
18 block 243, lot 1 is proposing 70,825 and proposed
19 block lot -- block 237, lot 55, 64,485 square feet.
20 So a variance would be required for the maximum lot
21 area.

22 Also the maximum impervious coverage
23 required is 60 percent. Proposed block 243, lot 1,
24 you have 91 -- 92.1 percent, and proposed block 237,
25 lot 55, 93.4 percent. A variance would be required.

1 You already mentioned the maximum building
2 height. We know those variances so with the D
3 variance, and the minimum build, building height
4 required is 30 feet. Proposed block 243, lot one,
5 you have 22 feet, with the isolation wall, that's
6 for the isolation wall and proposed block 237, lot
7 55, 17.6 feet for the control house. A variance
8 would be required for the minimum building height.

9 The front yard setback from Locust Street,
10 10 feet is required. Proposed block 243, lot 1, has
11 9.9 feet, and proposed block 237, lot 55, 11.6 feet,
12 that conforms.

13 The R-2 zone is silent in the area of bulk
14 conditions for such use proposed under this
15 application. Given that there are no standards for
16 non-residential uses, the applicant has selected the
17 most conservative criteria as set forth on the table
18 above.

19 So the use variance comments I mentioned
20 things that should be provided in that testimony.
21 I'm moving on to the performance standards.

22 Spruce Street is an existing one-way
23 roadway. Spruce Street is proposed to be milled and
24 repaved from the intersection with Locust Street
25 along the property frontage to the eastern most

1 property line. The civil site plan should be
2 revised to correctly show the eastern most property
3 limit for the proposed roadwork.

4 You will make that change?

5 **MR. LETIZIA:** Yes.

6 **MS. MOORE JOHNSON:** Okay. Cherry
7 Street is an existing one-way roadway. Some plans
8 indicate Cherry Street as the former Cherry Street
9 right-of-way. This should be clarified and
10 documentation should be provided if this portion of
11 Cherry Street has been vacated.

12 **MR. REICHLE:** I thought we provided
13 the resolution from the City of Camden that turned
14 our property over to Public Service.

15 **MS. MOORE JOHNSON:** All right, so that
16 has been vacated then?

17 **MR. REICHLE:** Yes.

18 **MS. MOORE JOHNSON:** Because what was
19 provided with that right-of-way I believe it was
20 hundreds of pages. So I think you mentioned so
21 that's been done.

22 **MR. LETIZIA:** The vacation of Cherry
23 Street has been done, yes.

24 **MS. MOORE JOHNSON:** The applicant
25 proposes off-street parking on the gravel areas

1 within the stations for PSE&G personnel. The
2 stations will not be open to the public. Testimony
3 should be provided as to whether the gravel area
4 will sufficiently accommodate the number of PSE&G
5 personnel.

6 **MR. LETIZIA:** We will provide that.

7 **MS. MOORE JOHNSON:** So what we
8 discussed is it's only going to be one or two people
9 that come in and check on things.

10 **MR. LETIZIA:** That's correct.

11 **MS. MOORE JOHNSON:** Okay, which has
12 been their typical testimony that's why I'm
13 mentioning it, at their sites.

14 The applicant should provide testimony
15 regarding loading at the site. Will any loading
16 take place at the site?

17 **MR. LETIZIA:** No. There is no
18 loading.

19 **MS. MOORE JOHNSON:** The applicant
20 should replace any damaged sidewalk or curb along
21 the property's frontage on Spruce Street, Locust
22 Street and Walnut Street. ADA ramps in this area
23 must also be replaced if they do not meet the
24 current ADA standards.

25 So you acknowledge that? I know there is

1 work being done at your station nearby and you have
2 done a lot of upgrades there. So if there is
3 anything that needs to be upgraded, you will upgrade
4 that, correct?

5 **MR. LETIZIA:** Anything that has been
6 damaged, yes.

7 **MS. MOORE JOHNSON:** Anything that is
8 damaged.

9 **MR. LETIZIA:** We will repair, yes.

10 **MS. MOORE JOHNSON:** Damaged or
11 repaired for the sidewalk and curb but if an ADA
12 ramp needs to be upgraded, you will upgrade that.

13 **MR. LETIZIA:** What property are you
14 talking about?

15 **MR. REICHLE:** What property?

16 **MS. MOORE JOHNSON:** Locust Street.

17 **MR. LETIZIA:** Frontage on Spruce,
18 Locust and Walnut Streets?

19 **MS. MOORE JOHNSON:** Right, Spruce,
20 Locust and Walnut Street if it's not, if it doesn't
21 meet current standards. There may be something that
22 doesn't meet and it may all meet current standards.

23 **MR. REICHLE:** Well, it did meet, it
24 did meet current standards. I personally, the
25 company did, I ran the job, 4.3 million dollars to

1 redo the sidewalks to the city's requirement to
2 conform to NJ DOT and all those intersections at the
3 time of construction which was less than 10 years
4 ago did comply with NJ DOT and to the city's wishes.

5 **MS. MOORE JOHNSON:** Okay. So you will
6 acknowledge if there is anything that doesn't meet
7 current standards you will take care of it if it
8 doesn't meet current standards?

9 **MR. REICHLE:** If it doesn't meet
10 current standards we will take care of it.

11 **MS. MOORE JOHNSON:** Thank you.

12 Okay, the stormwater collection and
13 management system, we went through all of that.

14 Item number nine on page seven of 19 you
15 know that I did talk to DEP. They are fine with the
16 calculation that you have, but then all the other
17 comments you are going to make those upgrades?

18 **MR. REICHLE:** What are those?

19 **MR. WILSON:** Yes.

20 **MR. LETIZIA:** Yes.

21 **MS. MOORE JOHNSON:** Grading, you are
22 fine with the comments that I noted for grading?

23 **MR. LETIZIA:** Yes.

24 **MS. MOORE JOHNSON:** Utilities, you
25 have the approval from the city fire chief. I just

1 need an approval letter from the city engineer, but
2 you are fine with the comments that I have for
3 utilities --

4 **MR. LETIZIA:** Yes.

5 **MS. MOORE JOHNSON:** -- page nine of
6 19?

7 **MR. LETIZIA:** Yes.

8 **MS. MOORE JOHNSON:** Construction
9 details, you will make those upgrades that I have
10 here for construction details?

11 **MR. LETIZIA:** Let me look to my team.

12 **MS. MOORE JOHNSON:** That's fine. I
13 don't think there was anything --

14 **MR. WILSON:** Yes.

15 **MS. MOORE JOHNSON:** So let's go to
16 planting design on page 10 of 19. For section
17 870-244B a landscape plan is required whereas no
18 plans have been provided. Providing landscaping
19 including shrubs, trees and lawns is one of the
20 standard conditions for public utility uses. The
21 applicant proposes no landscaping plans thus
22 requesting a waiver from all landscaping and
23 buffering requirements under section 870-244.
24 That's correct?

25 **MR. LETIZIA:** That's correct.

1 **MS. MOORE JOHNSON:** Section 870-192
2 requires landscaping in any district. The entire
3 lot except for areas covered by buildings or surface
4 as parking, recreation or service areas shall be
5 seeded, sodded or planted with ground cover and
6 suitably landscaped to include trees, shrubs, edging
7 materials, stones, rocks or gravel in accordance
8 with an overall landscape plan consistent with the
9 natural surroundings and neighborhood. All
10 landscaping shall be properly maintained throughout
11 the life of any use on said lot. The applicant
12 requests a waiver relief from this requirement,
13 correct?

14 **MR. LETIZIA:** Correct.

15 **MS. MOORE JOHNSON:** Per section
16 870-244D street trees are required. Whereas none
17 exist or are proposed, plans shall be revised or a
18 waiver requested. Waiver, correct?

19 **MR. LETIZIA:** Correct.

20 **MS. MOORE JOHNSON:** All exterior
21 electrical and mechanical equipment at ground level
22 shall be screened with a layered installation of
23 shrubs and flowering trees per section 870-224B
24 (19). The applicant seeks a waiver from screening
25 the electrical or mechanical equipment on site.

1 Correct?

2 **MR. LETIZIA:** Correct.

3 **MS. MOORE JOHNSON:** Pursuant to
4 section 870-244A (3) (g) (4) where the zoning board
5 deems it necessary to assure an effective screen,
6 visual screen between non-residential uses and
7 street or residentially zoned properties, the board
8 may require in addition to landscaping the provision
9 of a fence of a type, height and design suitable for
10 the purpose, provided that the height of such fence
11 or screening shall not exceed eight feet. The
12 applicant proposes perimeter fencing that is 8.6
13 feet in height. The applicant requests a waiver.

14 **MR. LETIZIA:** It's actually 8'8", but
15 yes, we are seeking a variance for that.

16 **MS. MOORE JOHNSON:** Thank you.
17 According to -- well, that would be the waiver for
18 the visual screen there. All right.

19 Accordingly, the applicant requests a
20 waiver from the landscaping requirement of section
21 870-224B (7) pertaining to site design?

22 **MR. LETIZIA:** Yes.

23 **MS. MOORE JOHNSON:** Lighting,
24 shielding and/or cutoff optics shall be required in
25 all installations per section 870-243A (4). It

1 would appear that the applicant proposes lighting
2 without shielding such as emergency lighting. A
3 variance request is necessary.

4 **MR. LETIZIA:** Yes.

5 **MS. MOORE JOHNSON:** And that's
6 basically due to the equipment that's on site,
7 correct? That would be your testimony?

8 **MR. LETIZIA:** That's right, it is
9 emergency lighting.

10 **MR. WILSON:** Yes.

11 **MR. REICHLE:** They do have cutoffs.

12 **MR. WILSON:** Yes, they do have
13 cutoffs.

14 **MR. REICHLE:** By design.

15 **MS. MOORE JOHNSON:** But not shielding,
16 but you have emergency lighting also that doesn't
17 have shielding, correct?

18 **MR. WILSON:** I believe that's correct.

19 **MR. REICHLE:** That's correct.

20 **MS. MOORE JOHNSON:** So you need that
21 variance. I just, I don't want to miss a variance
22 because you would have to come back. So I want to
23 make sure that you get all the variances that you
24 need tonight.

25 **MR. LETIZIA:** Yes.

1 **MS. MOORE JOHNSON:** Section 870-243A
2 (6) requires that luminaires shall be provided with
3 hoods to prevent up-lighting. The applicant
4 proposes emergency lighting that shines up on the
5 overhead elevated equipment. The applicant requests
6 a variance, correct?

7 **MR. LETIZIA:** Yes.

8 **MS. MOORE JOHNSON:** All outdoor
9 lighting systems shall be designed and operated so
10 that the area 10 feet beyond the property line of
11 the premises receives less than .25 of a footcandle
12 of light from the premises lighting system per
13 section 870-243A (10). The applicant proposes no
14 illumination 10 feet off in some areas of the
15 property. So the applicant requests a variance.

16 **MR. LETIZIA:** Yes, that's correct.

17 **MS. MOORE JOHNSON:** Per section
18 870-243H (1), all outdoor lighting not essential for
19 safety and security purposes shall be activated by
20 automatic control devices and turned off during
21 non-operating hours. A note should be added on the
22 plans. You will add that note?

23 **MR. LETIZIA:** Yes, we will.

24 **MS. MOORE JOHNSON:** Testimony should
25 be provided that light fixtures properly installed

1 and maintained shall be directed so that there will
2 be no -- there will not be any direct glare source
3 visible from any adjacent residential property to
4 comply with section 870-243A (14). So will you
5 have -- you are not going to have them directed so
6 that there would be direct glare on a residence?

7 **MR. LETIZIA:** Correct, we will not,
8 yes.

9 **MS. MOORE JOHNSON:** Section 870-243I
10 (3) requires that the lighting plan includes the
11 maximum, minimum, average and average-to-minimum
12 ratio of the proposed lighting. No such information
13 has been provided in the lighting plan. The plan
14 should be revised or a variance requested.

15 **MR. LETIZIA:** We will revise the plan.

16 **MS. MOORE JOHNSON:** You will revise,
17 okay.

18 All right, newly installed fixtures which
19 are not full cutoff fixtures are prohibited per
20 section 870-243J (7). So do you need those
21 specifically for your utility? So we will be
22 granting you the permission to use non-full cutoff
23 fixtures?

24 **MR. LETIZIA:** Give us one moment.

25 **MS. MOORE JOHNSON:** No problem.

1 **MR. LETIZIA:** So all fixtures will
2 have cutoffs except the emergency lighting.

3 **MS. MOORE JOHNSON:** So then let's keep
4 this.

5 **MR. LETIZIA:** Yes.

6 **MS. MOORE JOHNSON:** Traffic impacts,
7 the applicant's engineer should provide testimony
8 that adequate site distance in accordance with
9 AASHTO policies exist at all existing and proposed
10 intersections.

11 **MR. LETIZIA:** We can provide that
12 testimony. I think there was a traffic statement
13 provided that may have already addressed that.

14 **MS. MOORE JOHNSON:** Yes, there was.
15 We wanted to confirm.

16 **MR. LETIZIA:** We can do that.

17 **MS. MOORE JOHNSON:** So the
18 environmental impact basically discusses the
19 approvals that are needed which I mentioned later.
20 I can go through this quickly because you know what
21 you have to do to comply with all the rules.

22 **MR. LETIZIA:** That's correct.

23 **MS. MOORE JOHNSON:** As noted in here.
24 I will go to page 15 of 19. Remington & Vernick
25 Engineers encourages the applicant to continue its

1 process of working closely with the New Jersey
2 Department of Environmental Protection license site
3 remediation -- I'm sorry, the LSRP, the NJ DEP State
4 Historic Preservation Office, Camden County Soil
5 Conservation District, Camden County Planning Board
6 and the City of Camden to avoid impacts to any
7 environmental features adjacent to and/or on the
8 site and to comply with any outstanding issues and
9 obtain all necessary licenses, permits and approvals
10 prior to site development. You acknowledge that?

11 **MR. LETIZIA:** Yes.

12 **MS. MOORE JOHNSON:** Prior to any site
13 development activities the applicant shall provide
14 testimony regarding the outcome and results of any
15 additional environmental investigations and/or
16 remedial actions including, but not limited, to soil
17 and groundwater investigations, geophysical
18 investigations, order of magnitude evaluations and
19 all, and any subsequent LSRP findings or NJ DEP
20 review comments and/or recommendations in connection
21 with the subject property.

22 You acknowledge that?

23 **MR. LETIZIA:** Yes.

24 **MS. MOORE JOHNSON:** Visual impacts,
25 our office has reviewed the visual impact assessment

1 submitted for the proposed project. Views of the
2 impact of the proposed structures and fencing on
3 their surroundings showing the maximum extent of the
4 shadow lengths on December 21st in the a.m., noon
5 and p.m. should be added to the report. You will
6 add that?

7 **MR. LETIZIA:** Yes.

8 **MS. MOORE JOHNSON:** We have reviewed
9 the sound study. There were no comments.

10 On to signage. The applicant proposes the
11 following signage. You have the facade wall signage
12 with the no trespassing, facade wall signage danger
13 sign, the facade wall signage of substation detail
14 and the number of sign for the sidewall.

15 Per section 870-253N (4) in the R-2 zone
16 non-illuminated name plate signs containing the name
17 or address of the occupant or of the permitted
18 occupation with the maximum size of two square feet,
19 has a maximum size of two square feet. There shall
20 be a maximum of one to a lot. The applicant
21 proposes more than one station identification sign
22 that is six square feet in sign area. So the
23 applicant requests a variance for the sign and
24 quantity, size and quantity. That's correct?

25 **MR. LETIZIA:** That's correct.

1 **MS. MOORE JOHNSON:** Per section
2 870-253N (9) identification signs for public utility
3 installations shall be permitted with one sign not
4 to exceed 24 square feet in area. While the
5 applicant meets the ordinance requirements for the
6 size of the signs, a waiver, it's actually a
7 variance, will be necessary for the number of signs
8 per section 870-253N (9). So you request a waiver,
9 I'm sorry, a variance for the quantity, correct?

10 **MR. LETIZIA:** Yes.

11 **MS. MOORE JOHNSON:** Fences, the
12 applicant is proposing an eight foot eight inch high
13 chain link perimeter fence, correct, eight feet
14 eight inches?

15 **MR. WILSON:** It's not chain link.

16 **MS. MOORE JOHNSON:** What is it?

17 **MR. REICHLE:** Anti-climb, anti-cut
18 fabric. It is a metallic fabric.

19 **MR. WILSON:** Steel mesh fabric.

20 **MS. MOORE JOHNSON:** Anti-climb.

21 **MR. REICHLE:** Anti-climb, anti-cut.

22 **MS. MOORE JOHNSON:** Anti what?

23 **MR. REICHLE:** Cut.

24 **MS. MOORE JOHNSON:** You are proposing
25 that perimeter fence for only a height of four feet

1 is proposed along the front and side lot lines under
2 section 870-197F. So the applicant requests a
3 variance?

4 **MR. LETIZIA:** Yes.

5 **MR. REICHLE:** Yes.

6 **MS. MOORE JOHNSON:** The applicant
7 should confirm that no portion of the footings of
8 the fencing will be within the city's rights-of-way.

9 **MR. LETIZIA:** Agreed.

10 **MS. MOORE JOHNSON:** Miscellaneous,
11 testimony should be provided regarding the project's
12 conformance with the standards outlined in section
13 870-40 for the conditional uses. Any standards that
14 are not met, should be specified. That was done
15 earlier.

16 Pre-engineered metal buildings and
17 industrial type structures shall not be permitted
18 pursuant to section 870-224B (3) (b). The
19 applicability proposes such type of a structure for
20 the new control house. The applicant requests a
21 waiver. That's correct? You request a waiver for
22 that material?

23 **MR. LETIZIA:** Yes.

24 **MS. MOORE JOHNSON:** Testimony should
25 be provided regarding the trash recycling operation

1 for the site.

2 **MR. LETIZIA:** We can provide that.

3 **MS. MOORE JOHNSON:** So --

4 **MR. LETIZIA:** Basically --

5 **MR. REICHLE:** We are a carry in and
6 carry out site. So there will be no trash left on
7 site. During the construction phase, however, PSE&G
8 will be managing through or environmental department
9 the removal of waste through dumpsters on site
10 during the construction period.

11 **MS. MOORE JOHNSON:** All right. The
12 plans should note that the applicant will comply
13 with the city's ordinances establishing standards
14 for the submission of maps and other documents in a
15 digital format. You will add that note to the plan?

16 **MR. REICHLE:** Yes.

17 **MR. LETIZIA:** Yes.

18 **MS. MOORE JOHNSON:** The signature
19 block on the plans should be revised to add the
20 signature for the zoning officer/administrative
21 officer. Also the signature block should be shown
22 only on the first page of the plan set.

23 **MR. LETIZIA:** Yes.

24 **MS. MOORE JOHNSON:** And the
25 applicant/owners are reminded that site safety is

1 their responsibility. The plan should note that the
2 owner or his representative is to designate an
3 individual responsible for construction site safety
4 during the course of the site improvements pursuant
5 to N.J.A.C. 5:23-2.21E of the New Jersey Uniform
6 Construction Code and CFR 1926.32F the OSHA
7 competent person. You will add that note to the
8 plans specifically?

9 **MR. LETIZIA:** Yes.

10 **MS. MOORE JOHNSON:** Okay, so we have
11 our summary of variances and waivers. Variances,
12 section 870-40 the conditional use standards,
13 section 870-55.E - 870-191, that's the D-3
14 conditional use variance. From section 870-55E the
15 maximum height, the D-6 variance, section 870-55E
16 the minimum height, from sections 870-56 we have the
17 maximum lot area, the impervious coverage and the
18 front yard setback. Section 870-192 the landscaping
19 in all zones. Section 870-197.F fence height.
20 Section 870-243A (4) the light shield full cutoff.
21 From section 870-243A (6) the light shield to
22 prevent up-lighting. From section 870-243A (10)
23 illumination beyond 10 feet of the property line.
24 We eliminated the next variance that I have noted
25 which is providing the illumination levels. You are

1 going to do that. Section 870-243J (7) non-full
2 cutoff fixtures. Section 870-244A (3) (g) (4) the
3 fence height. Section 870-253N (4) name plate size,
4 sign size and quantity. Section 870-253N (9) the
5 identification sign quantity. That's what I have
6 for the variances.

7 **MR. LETIZIA:** Okay.

8 **MS. MOORE JOHNSON:** That's it. And
9 for the waivers, I have the pre-engineered building,
10 the site design landscaping, general landscaping and
11 buffering, landscape plan, the mechanical equipment
12 screening and street trees.

13 **MR. LETIZIA:** Yes.

14 **MS. MOORE JOHNSON:** All right, so you
15 are aware of the approval process as listed on page
16 18. If you have any questions you can contact me.

17 **MR. LETIZIA:** Yes, thank you.

18 **MS. MOORE JOHNSON:** And outside agency
19 approvals I have noted the Camden County Planning
20 Board and the Camden County Soil Conservation
21 District. Are you aware of any others that would be
22 necessary that I'm missing?

23 **MR. LETIZIA:** DEP floodgate hazard
24 permit.

25 **MR. WILSON:** Floodgate hazard

1 verification with the DEP.

2 **MS. MOORE JOHNSON:** You are going to
3 get a verification?

4 **MR. WILSON:** That's due in a couple
5 weeks.

6 **MS. MOORE JOHNSON:** Okay. I will add
7 that floodgate hazard line verification, and that
8 concludes my review.

9 **CHAIRMAN HANCE:** Thank you so much.

10 **MS. MOORE JOHNSON:** You're welcome.

11 **MR. LETIZIA:** Okay, so we'll try to
12 couch our testimony just limited on the variances
13 and the waivers and try to be as brief as possible.

14 So, again, I will start with Mr. Reichle.
15 He can address a little bit about what we're
16 proposing and what it means why we're doing this.

17 You have already been sworn, Mr. Reichle.
18 Let's quickly have you go through your professional
19 background please.

20 **MR. REICHLE:** Okay, certainly, so I'm
21 a PSE&G employed project manager. I have worked for
22 the company for 12 years. I have been, I have
23 provided testimony to six New Jersey zoning boards
24 over that time for PSE&G projects of this type.

25 My management duties include scope

1 development, land acquisition, land development,
2 project design oversight, execution, planning,
3 construction oversight, testing and commissioning
4 oversight along with the financial business plan
5 management.

6 **MR. LETIZIA:** I offer Mr. Reichle as
7 an expert in utility project construction and
8 management. Is he accepted?

9 **MR. EINGORN:** Yes.

10 **MR. LETIZIA:** Thank you.

11 EXAMINATION OF WARREN REICHLE BY MR. LETIZIA:

12 Q. So, Mr. Reichle, let's have you, I believe
13 all board members are probably familiar with the
14 area, but just real quick I think we have an
15 exhibit.

16 **A. Exhibit A-2.**

17 **(Exhibit A-2, PSE&G Locust Street**
18 **breaker station and substation lot 55, lot 1, was**
19 **marked for identification.)**

20 Q. This will be A-2. What is it?

21 **A. A-2 is titled PSE&G Locust Street breaker**
22 **station and substation lot 55, lot 1 and Locust**
23 **Street temporary laydown lot 62, 64, 69, 76 through**
24 **80, 82, 84 and 1 as prepared by PSE&G dated March 3,**
25 **2025.**

1 Q. So let's quickly orient the board.

2 A. Sure. So right now this is the Locust
3 Street substation which is existing. This is the
4 lot of the Locust Street breaker station that Mr.
5 Letizia gave us the lot numbers for. On it's west
6 it's bordered by Locust Street and it's bordered on
7 its north by Spruce and by Walnut to its south.
8 Along the west side, it's heavy industrialized as
9 well as the south side. It's bordered on the north
10 side by the Camden City municipal parking lots,
11 event lots and then on its east side it's, our new
12 breaker station is bordered by a vacant lot and our
13 existing substation is bordered to the east by
14 residential homes.

15 Q. Let's quickly address the need for this new
16 breaker station.

17 A. So this breaker station or this substation,
18 the one that's here feeds 6,000 area customers and
19 in an effort for providing greater reliability to
20 the Camden area transmission network PJM who is the
21 regional transmission organization that coordinates
22 the movement of wholesale bulk electricity under the
23 authority of the Federal Energy Regulatory
24 Commission, they are requiring us to provide greater
25 flexibility to our protection and control of the

1 6,000 volt circuits, three of which feed that
2 station.

3 The approved solution to this request is to
4 construct what we call a ring bus, it sounds too
5 simple right, to manage our three sources, as well
6 as to re-feed the two transformers that are
7 currently in the station as well one here, one here
8 and one in the middle that will be a future
9 transformer.

10 The benefits of the construction of the
11 Locust Street breaker station eliminates the
12 possibility of losing two of the three feeder
13 circuits by one event. So by doing so this also
14 increases the reliability of the 69,000 volt system
15 in the Camden region and that all trickles down
16 69,000 to 13,000, to 4,000 to the people's homes and
17 your businesses. So this does supply this region.

18 Also -- and the project also -- I'm glad I
19 saw that. We are also constructing a facility that
20 will house a temporary trailer mounted transformer
21 unit. We call it a mobile unit. That mobile unit
22 will be deployable within 48 hours and be online
23 within said 48 hours. So that is part of the work
24 that we're doing in this station and controls,
25 electrical connections, all that will be

1 **pre-constructed. The containment will be**
2 **constructed as needed and when needed.**

3 Q. Let's go to the next exhibit. Can you
4 describe the new and improved --

5 **CHAIRMAN HANCE:** Can I ask a question?

6 **MR. LETIZIA:** Sure.

7 **CHAIRMAN HANCE:** Your mobile unit, is
8 that a backup unit just in case?

9 **MR. REICHLE:** That's a backup unit and
10 we use those for failures. We also use those for
11 predictive maintenance. We actually, long story
12 short, there is a lot of the transformer activity
13 that we monitor in our main center in Newark for
14 gassing and so forth and loading. So it's
15 predictive maintenance and for replacement.

16 **CHAIRMAN HANCE:** So if you are going
17 to have maintenance on the system you use the mobile
18 to keep power running through the area.

19 **MR. REICHLE:** That's exactly what we
20 do. We have two transformers, one of which we by --
21 the one that's in question gets bypassed with the
22 mobile and people don't even see the lights blink.

23 **A. So this is what we're calling Exhibit A-3**
24 **and it's titled area view of Locust Street breaker**
25 **station as prepared by PSE&G dated March 3, 2025.**

1 (Exhibit A-3, Aerial view of Locust
2 Street breaker station as prepared by PSE&G, March
3 3, 2025, was marked for identification.)

4 A. So the approved solution is kind of hard to
5 see, but it looks like more like a rectangle than a
6 ring, but we call it a ring bus. That will be
7 located on the new substation or the new breaker
8 station on the existing vacant lot.

9 As you can see that is too large to fit in
10 on the existing lot and that's why we had to move it
11 over here. It just won't fit.

12 There are other solutions, in case there is
13 any electrical distribution engineers on the board,
14 there are other solutions. They are not as reliable
15 as a ring bus. They all have their failure
16 capacity.

17 So it's too big to put on the site. The
18 good news is, yes, is that it is located adjacent to
19 the existing because if it were anywhere else but
20 here, the four high, that they will talk about later
21 in their testimony, transmission poles, those lines
22 would have to run through the community. So if we
23 were, because we have to get it from here to here.
24 So good news for us and for reliability it is right
25 adjacent, since it shortens the distance it also,

1 this area is all PSE&G property enclosed by a fence.
2 So, therefore, it's not prone to traffic accidents,
3 where somebody hits a pole and we lose a circuit.
4 So it's much more reliable and obviously it's much
5 easier for us to maintain.

6 At the existing substation, which is this,
7 the existing control house there is a switch gear
8 built that's out of focus, I'm sorry, but the
9 existing control house lightning mast transformer
10 cells and the vegetation will need to be removed
11 from, I'm sorry, control house, transformers, switch
12 gear building remain. The existing electrical bus
13 work in the back will have to be reconfigured.
14 There is a block structure back here that's
15 existing. This shows the future state. So that is
16 getting removed as well as the vegetation that is in
17 the northeast, southeast and along the southern
18 border out to the southwest fence. Those will have
19 to be removed.

20 Q. And why does the vegetation have to be
21 removed?

22 A. The vegetation is a fire hazard, very
23 simply. It doesn't comply with our fire standards.
24 Otherwise, other than that vegetation, there is no
25 combustible material in that station or anything

1 that will sustain a fire. So except those trees and
2 some of them there is two trees right now that are
3 about 15, 16 feet that abut that bus and I just saw
4 looking at it this afternoon before coming to the
5 hearing so I do have to ask our division to prune
6 those to get them down because they are not at a
7 safe level in distance, in clearance with that bus.

8 Q. Why don't you comment on the proposed
9 fencing.

10 A. Sure. Could I have A-4 please?

11 (Exhibit A-4, Walnut Street view 7,
12 was marked for identification.)

13 A. So A-4 is titled Walnut Street view 7 and
14 it was prepared by Public Service Electric & Gas and
15 dated March 3, 2025. There is, the top view is the
16 existing state of the station. The bottom view is a
17 rendering based off of actual photographs and
18 engineering documents. It was prepared by Public
19 Service and that's what the two views are.

20 So in order to meet our new security
21 measures the company is proposing we said a new
22 fence anti-climb, anti-cut fabric 8'8". Our
23 existing and as you will notice on the bottom it is
24 not -- it does shield the station. This is the
25 color. It is a powder coated black, but the big

1 thing I think you are going to like is even though
2 it's 8'8", the existing one is seven foot plus one
3 foot of barbed wire. There is no barbed wire
4 anywhere because you cannot climb nor cut this
5 fence. So it does give us a nice visual and you are
6 also seeing this line. You can see the trees in the
7 background. Most of them are below the fence
8 height. This is the one I was talking about
9 noticing today, but so this is the view without
10 those, without that vegetation near.

11 The other thing that my colleagues are
12 going to be talking about is the construction of a
13 wall in front of the transformers. So this is what
14 we call the transformer wall or cells. They are
15 open to the east side. This is that same cell with
16 the addition of the new concrete wall. So it's a
17 security measure. It also provides some sound
18 attenuation which is a benefit to the residents
19 because they all live on this side as I mentioned
20 earlier to the east. So that is the additional
21 wall. That's all I had on that.

22 Q. That's great. Let's now just turn quickly
23 to the operations that occur.

24 **CHAIRMAN HANCE:** I have one question.
25 Safety wise, I love the fence but at this site, how

1 would it affect the community? Is there any --

2 **MR. REICHLE:** It actually has no
3 negative impact on the community.

4 **CHAIRMAN HANCE:** Okay.

5 **MR. REICHLE:** Because we are
6 eliminating, actually they would have to use a
7 ladder to scale, but it doesn't, the visual to me is
8 so much nicer being able, seeing, I don't know how
9 else to say it, but seeing all the ugly inside of
10 our fence, right, with this black fence with the
11 tighter fabric it hides a lot of the ugly so people
12 don't necessarily want to see this stuff, but we
13 have to have it. So I actually like it compared to
14 what we currently have and I think you will see
15 there is another view that we can show you which
16 shows you the whole station because this fence is
17 going around not only the existing breaker station,
18 substation, but going around our new station as
19 well.

20 **CHAIRMAN HANCE:** I'm not even, you
21 answered that question too, but I'm actually talking
22 about the electric coming out of there.

23 **MR. REICHLE:** Oh, all the electric
24 coming out of there is underground.

25 **CHAIRMAN HANCE:** Okay.

1 **MR. REICHLE:** I was the project
2 manager during that site about 10 years ago. So
3 we've run five miles of underground duct banks all
4 the way to the U.S. New Jersey and everywhere in
5 between anticipating future loads so we didn't have
6 to recut streets, but we're back on 3rd Street, we
7 are all the way down the south end of 2nd Street, we
8 are all over the place.

9 **CHAIRMAN VANCE:** Okay, how long have
10 you guys been there PSE&G at that site?

11 **MR. REICHLE:** Over 80 years.

12 **CHAIRMAN HANCE:** I believe it. I used
13 to work back there for Flynn Co., a young man. It
14 needs a facelift. It was looking ratty.

15 **MR. REICHLE:** It was, quite honestly,
16 we don't have presentations of that, but the gas
17 company, you know the other part of us just finished
18 the gas plant rework and wow, what, I have to taut
19 our own horn, but it really did clean up that whole
20 area and I'm really excited about the way this is
21 going to look when we're done because you do have
22 people from outside of Camden that will see that
23 when they come to your special events and they park
24 in your lot and walk to the Tweeter Center. So it
25 will make that view much better.

1 **CHAIRMAN HANCE:** When they said not
2 link fence I got excited because it blocks
3 everything in there.

4 **MR. REICHLE:** Yes.

5 **CHAIRMAN HANCE:** That's a plus.

6 Q. So let's briefly address --

7 A. I'm showing my age.

8 Q. Address operations, the day-to-day
9 operations of when the activity occurs.

10 A. This is an unmanned site. One to two
11 people will come in during the course of a week and
12 so we're monitoring through Newark and we're
13 monitoring through our Moorestown operations center.
14 But they come in and do the physical verification of
15 what we think we're seeing. So they are in there
16 one or two times a week. They pull in, they go,
17 they park their vehicle where they need to work. So
18 it might be the control room, it might be one of the
19 breakers, it might be -- so they don't park in a
20 parking spot. There is only one to two people in
21 there at a time.

22 **CHAIRMAN VANCE:** So my question for
23 that is this, can they get, when they go inside can
24 they get from one site to the other without coming
25 back out again?

1 **MR. REICHLE:** Yes, they can. There is
2 a full traffic circle, may I have A-2 and I'm sorry,
3 A-2. So there is a full traffic circle. We had
4 Burns & McDonnell, there we are, so we have a gate
5 here on Spruce, we have another gate here on Locust
6 and all the equipment can move around in that
7 station with the turning radius in our largest
8 trailers with our largest equipment on them.

9 **CHAIRMAN HANCE:** So to get to the
10 other side you have to come back out again and go
11 over?

12 **MR. REICHLE:** To get to this station
13 which is a separate property, you do have to go out
14 and around. The reason we have this fence here, as
15 we discussed earlier, to vacate Cherry Street. The
16 city water, city sanitary and the eight inch
17 transmission pipeline all exist in this street so
18 that the people that own those assets can maintain
19 them without being subjected to risk of being in an
20 energized station. We put a gate here and have put
21 the same security measures down the sides which
22 means that those people can work at their own pace
23 without us having to stay there and birddog them and
24 it keeps our station secure at the same time. I
25 hope that helps.

1 **CHAIRMAN HANCE:** Perfect, thank you.

2 Q. I think you already addressed trash
3 removal.

4 A. So I did address trash removal. The thing
5 is that PSE&G, and I will read this one, sorry, PS,
6 I will read this one, PS will not maintain permanent
7 storage of materials and trucks and will not
8 maintain repair facilities or staging of repair
9 crews for the activity not directly associated with
10 the maintenance, repair and operation of the area
11 network for specific assignments. As necessary
12 PSE&G will need to stage materials, equipment and
13 staff on site for activities directly related to the
14 maintenance, repair, operation and/or improvements
15 of the facility.

16 The lighting levels were in question. So
17 the lighting levels here are going to be kept to
18 what we call safety night lighting. They are down
19 lighting, but as I mentioned, one or two people have
20 to come in a week and if our operations centers see
21 something, they will dispatch someone to go check it
22 out. So when that person comes, they may need to
23 look at something that's in the air. So we have
24 fixed up-lighting in the areas, it's hard to see the
25 switches in this station as well as breakers. There

1 is fixed up-lighting. That up-lighting is triggered
2 or allowed by night photocells, meaning they can't
3 come on during the day, they have to be turned on
4 and off manually and the circuits are designed with
5 a timer in them just in case because I'm getting old
6 I will go ahead and get in my car and drive away and
7 forget to turn the light off. Well, the timer will
8 time the light out and turn it off.

9 So all the public areas though as we
10 mentioned earlier we are not going to have
11 bleed-over from our inside station lighting outside
12 of the fence. With that type of fence you are not
13 going to get a whole lot of bleed-over through it.
14 Those streets are right now lit by municipal street
15 lighting. So we really don't see where that causes
16 a problem.

17 During construction, oh, I'm sorry, during
18 construction we will be starting our construction
19 activities here December of 2025 through May of
20 2027. There will be at its peak 30 people.
21 Normally it will be around 15. We will be working
22 Monday through Friday with the occasional Saturday,
23 Sunday, very occasional, 0700 through 1730 during
24 those hours.

25 Again, like we mentioned before, trash will

1 be containerized. Its removal will be managed
2 directly by PSE&G environmental and also PSE&G did
3 provide, did perform a sound study that was provided
4 with the site plan application and PSE&G will meet
5 the city's current noise ordinance.

6 Q. I think that's it, Mr. Reichle.

7 MR. LETIZIA: Any other questions of
8 Mr. Reichle?

9 I will call Mr. Chris Wilson. Mr. Wilson,
10 you have been previously sworn. Please briefly
11 provide your professional background.

12 CHRISTOPHER WILSON, having been first duly
13 sworn, testified as follows:

14 EXAMINATION BY MR. LETIZIA:

15 A. Sure. I have a Bachelor's of Science in
16 civil and environmental engineering from University
17 of Missouri, Columbia. I have been working as a
18 consulting engineer for Burns & McDonnell since
19 graduating college at the end of 2011. My work
20 experience has included civil and structural
21 engineering for multiple substation and natural gas
22 facility projects, numerous clients ranging from
23 utilities like PSE&G and municipal cooperatives.

24 Since late 2019 I have been involved with
25 several PSE&G projects in the State of New Jersey

1 either as a lead engineer or reviewing engineer. I
2 have been licensed as a professional engineer in the
3 state of New Jersey since 2017 and my license is
4 active.

5 MR. LETIZIA: I would offer Mr. Wilson
6 as an expert in engineering.

7 CHAIRMAN HANCE: Yes.

8 MR. LETIZIA: Thank you.

9 Q. So, Mr. Wilson, let's, we can skip over
10 describing the subject site. That's already been
11 done. Existing conditions, I'm not sure you need to
12 address any of that.

13 MS. MOORE JOHNSON: I think Mr. Wilson
14 a lot of what he will be testifying to we went
15 through in the letter.

16 MR. WILSON: Yes.

17 MS. MOORE JOHNSON: So if you want to
18 go through the planner's information for the --

19 MR. WILSON: I was going to say --

20 MR. LETIZIA: Give us a second.

21 MR. WILSON: Let's introduce these
22 A-5. Can we have A-5? We would like to introduce a
23 new exhibit. This is the site plan drawing for the
24 project prepared by Burns & McDonnell for PSE&G
25 showing the improvements. So just a different look

1 there in that area rather than the plan view down.

2 (Exhibit A-5, Site plan drawing for
3 the project prepared by Burns & McDonnell for PSE&G,
4 was marked for identification.)

5 A. This is dated November 13, 2024. It was
6 submitted to the board for review. So just briefly
7 just showing what Warren was mentioning, we have the
8 substation with some of the electrical equipment.
9 It is going to be replaced. This is the new
10 isolation wall that's installed where the red line
11 is in the middle. This is the ring bus, the new
12 breaker station with the stormwater basin. You can
13 see here it's very faint, but we've got some
14 proposed gravel driveway that's part of what makes
15 this a major development project. Here is the
16 driveway access on the Spruce Street, driveway
17 access on Locust Street. As you mentioned, we
18 provided site distance figures for that and trips to
19 and from the substation are and the breaker station
20 are going to be only for routine maintenance and
21 emergency access. So we have adequate site distance
22 minimal traffic to the site since this is an
23 unmanned facility.

24 Q. Can you just address the reason for the
25 proposed heights of the structures as an engineer?

1 A. Absolutely. So the overall building height
2 for the lightning mast and the H-frames they are
3 hard to see, but basically in line here at the top
4 of the ring bus and the bottom there, that's where
5 they are going to be, the minimum height required at
6 51 feet, this is necessary to properly protect the
7 facility from lightning strikes. Lightning hitting
8 these things is not good for keeping the lights on.
9 So we have to have these tall poles to operate the
10 station efficiently and safely.

11 In addition to that, the transmission poles
12 those are located generally kind of between the
13 sites here. So there is a row of them here in the
14 substation and there is a few of them down here in
15 the bottom of the breaker station. Those are
16 proposed at 72 feet and, once again, this is the
17 minimum height required to operate this site safely
18 and efficiently.

19 I will note the existing transmission poles
20 of the same voltage class are the same height as
21 this. So it's nothing different from the existing
22 conditions.

23 Then the overall building height for the
24 control enclosure is 17 feet seven inches. That new
25 enclosure is right there at the top center of the

1 breaker station and that height is just a height
2 that's needed specifically for that kind of control
3 enclosure.

4 Q. And the location of the isolation wall from
5 the property line, why we need a slight variance for
6 that?

7 A. .1.

8 Q. .1.

9 A. So, again, highlighting the isolation wall
10 in the middle right there as Warren noted in the D-7
11 that is behind this, this lines up actually with the
12 transformer cell walls that are on the other side of
13 it. So really this is positioned just to provide
14 proper screening protection from transformers and to
15 line up with the existing features.

16 Q. And is it correct that there is no room for
17 landscaping on this property; is that correct?

18 A. That's correct. Both of these properties
19 are fully utilized and as Warren noted landscaping
20 would be a fire hazard in a substation. So to
21 provide adequate safety clearance we have to have
22 the fence far enough away from the equipment and
23 that's precluding any space for landscaping.

24 MR. LETIZIA: I have no further
25 questions of Mr. Wilson.

1 Now we will have our planner briefly
2 address the justifications for the variance.

3 PAUL RICCI, having been first duly sworn,
4 testified as follows:

5 EXAMINATION BY MR. LETIZIA:

6 **MR. EINGORN:** I can double swear you.

7 Q. Mr. Ricci, briefly provide your
8 professional background please.

9 A. **Yes, I am a licensed professional planner**
10 **since the year 2000, member of the American**
11 **Institute of Certified Planners, our national**
12 **certification. I am a planning consultant. I**
13 **testify regularly in front of boards, approximately**
14 **250 boards. I have never testified in Camden.**

15 **MR. EINGORN:** Welcome.

16 A. **I have been qualified everywhere.**

17 **MR. LETIZIA:** I offer Mr. Ricci as an
18 expert in land using planning.

19 **CHAIRMAN HANCE:** Yes.

20 Q. Please proceed.

21 A. **Sure. I will try not to bore people. It's**
22 **somewhat interesting in the proofs for this type of**
23 **application is a little bit different than normally**
24 **what we will hear because we have a conditional use**
25 **variance. We have the height variance and then**

1 we're also an inherently beneficial use as a matter
2 of law.

3 What that means is that we're a use that's
4 been determined to promote the public good of the
5 community while providing power to citizens
6 essentially.

7 Even if this was not a conditional use,
8 what that means is that anywhere in Camden we meet
9 the positive criteria under your law because we're
10 deemed to be appropriate because we're meeting the
11 needs of the community. But with that said, with
12 the conditional use standards the focus is less. I
13 don't have to like if you hear a use variance I
14 don't have to reconcile this use from your master
15 plan but what we do focus on is the conditional use
16 standards, the ability of the site to accommodate
17 the use despite these non-compliant conditions.

18 For the height, it's the same type of
19 analysis, the ability of the site to accommodate
20 that additional height, and I will quickly speak to
21 the fact that at the substation next door there
22 already are 70 foot tall masts there. So the height
23 is going to be relatively constant in this area.
24 Other situations you have a water tower, just to the
25 south we need to provide water. This is a utility,

1 utility situation. So one of the differences in an
2 application like this that this is not a developer
3 looking for more additional height and storage
4 units. This is so that we can provide power to the
5 community and that what you heard from the site
6 engineer, the heights aren't dictated -- they are
7 dictated by specific engineering requirements so
8 that the facility can be safe and can be protected.

9 These are the key aspects, but when we look
10 at the negative criteria, the law starts it is a
11 four part balancing test. As such, the balance of
12 the benefits of an application versus the
13 detriments. So if the benefits outweigh the
14 detriment, it's suggested that the board should vote
15 in favor of an application.

16 Just quickly, I don't want to get my
17 numbers wrong. The first part is to identify the
18 public interest and I will be very quick with this.
19 There are 6,000 plus residents that rely on this
20 site for electricity. I'm not sure how much detail
21 we went into, but this facility over time became out
22 of compliance. So the reason that we're doing this
23 is to bring the facility back into compliance as
24 required by the FERC, federal requirements and
25 regulatory commission. So that's why we're here.

1 The second part of the test asks us to
2 identify negative impact so we look at the negative
3 impacts we look at it them in balance in the
4 application like this.

5 So you have already heard from we have a
6 building that's less than two stories. As a planner
7 I don't think that's really an applicable standard.
8 It is meant for a residential use. It doesn't, I
9 don't think the code really intended that to apply
10 for a utility and in no way does it impact
11 negatively on anyone.

12 Regarding that front yard setback of 9.9
13 versus 10 feet, that's a de minimus exception that
14 no one will from a naked eye be able to discern. So
15 there is no negative impacts there.

16 In terms of the impervious coverage I won't
17 get into all the details, but while we're seeking
18 those variances, this application is actually
19 lowering the amount of impervious surface on both
20 lots. A small amount, but we're making it better.
21 So that results in promoting the purpose of zoning
22 as well.

23 You heard from the other witnesses about
24 the green space. It's not PSE&G policy and we don't
25 want to create a fire hazard. So that's a better

1 zoning alternative not to have the green area in
2 there. The fence, first of all, we're required to
3 meet the national electric safety code. So we're
4 required to have a minimum of a seven foot fence.
5 We take that further and we go to eight feet, the
6 additional on top of the eight feet is what's
7 necessary to eliminate the barbed wire type of
8 effect in feel.

9 So I mean I think it's clear that we need
10 to keep people out of these facilities. This is
11 high voltage equipment. For safety purposes is the
12 main reason. This design, clearly when I was in the
13 area is a fair amount of barbed wire in that area.
14 This is an improvement over what we have and what
15 some of the neighbors have. So it's a standard that
16 hopefully gets replicated in this area from a
17 planning perspective as well. So we believe it will
18 result in visual improvement to the property as
19 well.

20 Landscaping I discussed. I discussed the
21 height really in kind of my opening. Again, the
22 height is dictated and it's needed and dictated by
23 specific engineering requirements. It's consistent
24 with what's out there and it's necessary so that
25 this facility will function. That's the reason that

1 we're requesting the height associated with this
2 application.

3 Then just regarding this use itself, this
4 is not a use that's creating population, impacting
5 the school system, it doesn't really create traffic.
6 Really the only negative impacts when you look at
7 these facilities result to their visibility. This
8 lot today it's been used for at least five years off
9 and on for storage and the reason that you do see
10 the industrial character while we're in an R-2
11 district is we're right on your zone line of your
12 fort related industrial district. So we're one
13 property in. So that's why you are seeing this
14 combination of industrial in residential activity in
15 close proximity to each other, but it's my opinion
16 as a planner that this will not dramatically change
17 the character of this area because it's already
18 operating and exists and it's fully covered and
19 fully fenced and it adjoins other industrial type
20 uses as well.

21 Also the height, and just to be clear,
22 those lightning masts, they are designed to protect
23 the station again. So there is a public benefit
24 associated with that height. It's not just there
25 again for profit type purposes.

1 The third part of the test asks for
2 reasonable conditions. The applicant always listens
3 to what any conditions that the board may have. We
4 have done our best to try to provide you with an
5 application that we think is appropriate.

6 The fourth part of the test asks us to
7 balance the benefits versus the detriments. I think
8 I have shown that the benefits here are significant
9 and the detriments are minor in this context.

10 There has been a lot of design variances.
11 All the variances associated with the design code
12 we're seeking those under the flexible C-2 criteria,
13 promote the purpose of zoning. I already
14 demonstrated it promotes the general welfare and can
15 be granted without a substantial detriment to the
16 public good and without substantial impairment of
17 your zone planning heard from the previous witnesses
18 why we're doing this. It is a better zoning
19 alternative almost in every context and for lack of
20 a better word, it makes sense. This is PSE&G. They
21 serve the public and everything we're doing is
22 trying to reflect that in our application and where
23 there are issues, we work with your engineer and I
24 think we have largely made it better as part of
25 this.

1 So that's my quick version. If you want
2 anymore detail, I can go into it. Okay, I kind of
3 got that feeling.

4 **MR. LETIZIA:** So that completes our
5 direct presentation. So we're available for
6 questions or statements.

7 **CHAIRMAN HANCE:** I have to learn to
8 shut up.

9 **MR. EINGORN:** Did you say that or did
10 you say that?

11 **CHAIRMAN HANCE:** Signage, you want one
12 sign, right?

13 **MR. RICCI:** The signage, the signage
14 is all related to safety, like danger, it identifies
15 the facility.

16 **CHAIRMAN HANCE:** Not that I'm talking
17 about the address. So you just want one sign for
18 the address.

19 **MR. LETIZIA:** For the address, right.

20 **MR. REICHLE:** One sign.

21 **CHAIRMAN HANCE:** Because you have two
22 separate entrances, right?

23 **MR. REICHLE:** Yes.

24 **CHAIRMAN HANCE:** I'm thinking for the
25 safety for either the fire company, the electric

1 company, if something goes wrong, those fences
2 should have separate addresses on them.

3 **MR. REICHLE:** We can do that. Our
4 legal address.

5 **CHAIRMAN VANCE:** The reason I ask
6 because you can't get from one side to the other
7 with Cherry Street.

8 **MR. REICHLE:** And the existing Locust
9 Street substation does have one separate sign on
10 Locust Street because that's its actual address, and
11 this station, the breaker station, will have one
12 sign at its gate on Locust Street because that is
13 its official address.

14 **MR. EINGORN:** The fire marshal was
15 pretty good with this application as evidenced by
16 Exhibit A-1. That was the first exhibit entered
17 into evidence.

18 **CHAIRMAN HANCE:** Thank you.

19 **MR. EINGORN:** You want to move the
20 exhibits into evidence?

21 **MR. LETIZIA:** Correct, all the
22 exhibits.

23 **MR. EINGORN:** So moved.

24 **MR. LETIZIA:** Thank you.

25 **MR. EINGORN:** Any other questions for

1 the applicant? Great.

2 Let's open to the public. Anybody in the
3 public here tonight that would like to be heard on
4 the application of PSE&G related to 900 and 942
5 Locust Street?

6 Hearing and seeing none we will close the
7 public portion.

8 The applicant has provided significant
9 testimony both factual and legal testimony and
10 argument related to the requests for the variances
11 and site plan that they are here for tonight. I do
12 agree that this would be an inherently beneficial
13 use so they would meet the positive criteria in that
14 regard.

15 So at this time I will leave it to the
16 board to do a discussion and motion. Obviously any
17 motion to grant would be subject to compliance with
18 the Remington & Vernick letter, Dena's letter which
19 is dated January 23, 2025.

20 It is all you. We know you are going
21 first.

22 **CHAIRMAN HANCE:** I think it is very
23 positive. PSE&G has been here for decades. This is
24 something that Camden needs. I am happy that you
25 are upgrading because Camden is growing. Camden is

1 growing fast. So we are definitely going to need
2 some clean energy, some more power and that site
3 back there needs to be upgraded. It looks a lot
4 better from the picture. We will be by to check on
5 it.

6 **MR. REICHLE:** Good, we welcome you.

7 **CHAIRMAN HANCE:** And I think it is a
8 positive thing that we need for the future.

9 **MR. EINGORN:** Did I hear somebody
10 agree down there? Do you want to put that on the
11 record? We have a new member. So do you want to
12 put that in writing?

13 **MS. MOSS:** No, I thought the plan was
14 very well-organized and it is very necessary and
15 needed here.

16 **MR. LETIZIA:** Thank you.

17 **CHAIRMAN HANCE:** I make a motion that
18 we pass with --

19 **MR. EINGORN:** The conditions stated.

20 **CHAIRMAN HANCE:** The conditions that
21 were stated.

22 **MR. EINGORN:** Great. Do we have a
23 second.

24 **MS. NUNEZ:** Second.

25 **MS. MERRICKS:** Second.

1 **MR. EINGORN:** A bunch of seconds.
2 Roll call, Chairman Hance?

3 **CHAIRMAN HANCE:** Yes.

4 **MR. EINGORN:** Vice Chairman Still?

5 **MR. STILL:** Yes.

6 **MR. EINGORN:** Ms. Merricks?

7 **MS. MERRICKS:** Yes.

8 **MR. EINGORN:** Ms. Nunez?

9 **MS. NUNEZ:** Yes.

10 **MR. EINGORN:** Ms. Riviera?

11 **MS. RIVERA:** Yes.

12 **MR. EINGORN:** And Ms. Moss?

13 **MS. MOSS:** Yes.

14 **MR. EINGORN:** Six in favor and none
15 opposed. The motion passes.

16 Let's take a five minute break and then
17 move on to the next one.

18 (At which time a break was taken.)

19 **MR. EINGORN:** We are on the record.

20 **MR. LETIZIA:** So this next PSE&G
21 application is for a temporary laydown area adjacent
22 to the new breaker station which you just heard a
23 lot about for the record. I am Tom Letizia,
24 attorney with Troutman Pepper Locke representing
25 PSE&G and notice was provided for this hearing as

1 well and the affidavits confirming same were filed
2 with Miss Mohammed. So I believe the board does
3 have jurisdiction to hear this second application.

4 **MR. EINGORN:** I agree.

5 **MR. LETIZIA:** So as I noted, this is
6 for a temporary use of some property adjacent to the
7 substation and breaker station. Similar to the last
8 application, we do need to put our proofs supporting
9 certain variances and waivers.

10 Just like the last application we have been
11 working with your engineer, Ms. Johnson, to address
12 her comments related to this particular application
13 and those are set forth I believe in a report or
14 letter of December, I forget the specific date,
15 December of 2024.

16 I want to put into the record the fire
17 marshal letter that was submitted with the last
18 application because that letter also addresses this
19 application and he reviewed and approved this
20 application. So we will mark that as A-1 for this
21 hearing.

22 **MR. EINGORN:** So marked.

23 (Exhibit A-1, Letter from Camden Fire
24 Marshal, was marked for identification.)

25 **MR. LETIZIA:** So briefly this property

1 consists of several small undeveloped lots owned by
2 the City of Camden. I won't go list all the lots.
3 They are in the application. These lots together
4 create an approximately half acre area which PSE&G
5 intends to clear and use temporarily to support
6 construction trailers and laydown for equipment.
7 This is being done pursuant to a lease agreement
8 that PSE&G has signed with the city.

9 When PSE&G is done these lots will be
10 returned back to the city in an improved condition.
11 So all of the lots are in the R-2 zone district.
12 Technically this use is not permitted in the R-2
13 zone. Your ordinance does allow for temporary
14 construction trailers to be permitted in all zones,
15 but only for two six month periods. PSE&G will need
16 to utilize this temporary laydown for at least two
17 years. So that's why we need the variances.

18 There is one D variance, it's for, it is a
19 use variance again to allow us to have this use in
20 the R-2 zone. There are a number of C variances and
21 waivers. I won't go through them. Ms. Johnson has
22 identified those in her letter and so we can turn to
23 her letter now and she can summarize her comments.

24 **MS. MOORE JOHNSON:** Did you want to
25 bring up whoever would be providing testimony?

1 **MR. LETIZIA:** Yes.

2 **MS. MOORE JOHNSON:** The same people?

3 **MR. LETIZIA:** Potentially everyone.

4 **MR. EINGORN:** We have one new witness.

5 You have already been sworn. You are fine.

6 LISA DIFRANZA, having been first duly
7 sworn, testified as follows:

8 EXAMINATION BY MR. LETIZIA:

9 **MR. EINGORN:** State your name and
10 address.

11 **MS. DI FRANZA:** Lisa DiFranza,
12 D-I-F-R-A-N-Z-A.

13 **MR. EINGORN:** And your address,
14 business address is fine.

15 **MS. DI FRANZA:** 2517 Route 35,
16 Manasquan 08736.

17 **MR. EINGORN:** Thank you.

18 **MS. MOORE JOHNSON:** I am referring to
19 Remington & Vernick's letter dated December 19,
20 2024. I will correct the fact this is in front of
21 the zoning board with Mr. Hance as the chairman.

22 It was already mentioned that the project
23 needs a use variance because they plan on using this
24 temporary construction trailer for more than one
25 year which would exceed the two consecutive six

1 month periods allowable under section 870-200.C.

2 So I listed the burden that's needed to
3 provide that information for the variance. So that
4 can come later after we go through the letter,
5 correct, that portion?

6 **MR. LETIZIA:** Yes.

7 **MS. MOORE JOHNSON:** The area of bulk
8 requirements, everything conforms. The R-2 zone is
9 silent in the area of bulk conditions for such a use
10 proposed under this application. However, the area
11 of bulk standards for single family use have been
12 utilized for reference only to ensure that the
13 proposed use aligns with the physical
14 characteristics of the surrounding areas. So there
15 are no variances required with the area of bulk
16 requirements.

17 The zoning ordinance definition of building
18 coverage is as follows: The horizontal plan for
19 projection taken at grade level of all covered or
20 roofed areas and uncovered porches or decks on a lot
21 whether permanent or temporary. Thus the area of
22 the proposed temporary construction trailers shall
23 be calculated in the building coverage. The bulk
24 chart on the site plan should be revised.

25 **MR. LETIZIA:** Yes.

1 **MS. MOORE JOHNSON:** Then I have the
2 use variance comments on page four.

3 Going on to the performance standards, if a
4 street opening is necessary for Cherry Street,
5 Spruce Street or 3rd Street, this application will
6 be subject to the street opening permit ordinance of
7 the city. The city engineer should be contacted
8 concerning the application and fees involved.

9 **MR. LETIZIA:** Yes.

10 **MS. MOORE JOHNSON:** You are aware?

11 The plan should be revised to indicate the
12 street name of South 3rd Street for the existing
13 roadway.

14 **MR. LETIZIA:** Yes.

15 **MS. MOORE JOHNSON:** Change that.

16 Let's see, per section 870-230K, parking spaces may
17 not be located on streets or access aisles or
18 driveways. No areas specifically intended for
19 parking or loading use may be located between the
20 front building line and the street line.

21 The applicant has proposed parking on the
22 front yard along Cherry Street. The plan should be
23 revised or a variance requested. You are requesting
24 the variance?

25 **MR. LETIZIA:** Yes, we are.

1 **MS. MOORE JOHNSON:** The applicant
2 should provide testimony regarding ADA parking
3 requirements and electrical charging facility
4 requirements for the site. This is just for
5 construction parking only, right? So these would
6 not be applicable?

7 **MR. LETIZIA:** Correct.

8 **MR. WILSON:** Correct.

9 **MS. MOORE JOHNSON:** The applicant
10 should clarify the site access location on the site
11 plan. A site triangle should be shown at each site
12 access. You will add that?

13 **MR. LETIZIA:** Yes.

14 **MR. WILSON:** There is no access to the
15 laydown yard. It will be accessed through the
16 breaker station during construction.

17 **MS. MOORE JOHNSON:** So that would be
18 not applicable.

19 **MR. WILSON:** Correct.

20 **MS. MOORE JOHNSON:** Per section
21 870-241A, sidewalks are required along all streets.
22 Sidewalks should be provided along the frontage of
23 each roadway. The plan should be revised or a
24 variance requested. You are requesting the variance
25 because this is temporary in nature, correct?

1 **MR. WILSON:** Correct.

2 **MR. REICHLE:** Correct.

3 **MS. MOORE JOHNSON:** In addition to the
4 sidewalk, curbs should be provided along the
5 frontage of each roadway. That's the same, you are
6 not providing the curb, correct?

7 **MR. LETIZIA:** Correct.

8 **MR. WILSON:** Variance, yes.

9 **MS. MOORE JOHNSON:** The applicant
10 should confirm -- oh, there are no proposed storm
11 sewer structures proposed for this site, but there
12 is nothing, correct?

13 **MR. WILSON:** Correct.

14 **MS. MOORE JOHNSON:** So these comments,
15 do you have any questions regarding the comments
16 that I have here? I just needed you to show the
17 calculations.

18 **MR. WILSON:** No questions. We
19 confirmed it's a minor development by DEP standards,
20 but understood about the 25 year storm event on the
21 comment --

22 **MS. MOORE JOHNSON:** And the stormwater
23 fee, I'm not sure, this probably still applies
24 because you are temporary in nature. So that
25 stormwater fee is applicable? That's fine, yes, you

1 acknowledge.

2 **MR. WILSON:** Yes, that's fine.

3 **MR. LETIZIA:** Provided it is
4 applicable. We will need to confirm it, but yes.

5 **MS. MOORE JOHNSON:** Grading and
6 utilities, any comments here? I know that you
7 received the February 17th e-mail from the city fire
8 chief. The city engineer's approval is still
9 required even though it's temporary in nature.

10 **MR. LETIZIA:** Yes.

11 **MR. WILSON:** Yes.

12 **MS. MOORE JOHNSON:** Construction
13 details, you are fine with these comments?

14 **MR. WILSON:** Yes.

15 **MS. MOORE JOHNSON:** Planting design
16 testimony should be provided regarding the removal
17 of the existing vegetation and trees on site and the
18 proposed replacement of the same.

19 **MR. WILSON:** Agreed. We will provide
20 testimony.

21 **MR. LETIZIA:** We have a plan we can
22 show.

23 **MS. MOORE JOHNSON:** And removal of
24 trees will be subject to the tree removal permit in
25 accordance with section 870-247D.

1 **MR. LETIZIA:** Yes.

2 **MS. MOORE JOHNSON:** The caliper of the
3 proposed trees should be indicated as 2.5 inches
4 minimum at installation. You will change that.

5 **MR. LETIZIA:** Yes.

6 **MS. MOORE JOHNSON:** Testimony should
7 be provided regarding the light on the site and
8 whether new lighting is proposed. Do you have
9 temporary lighting or any new lighting?

10 **MR. REICHLE:** It's light trailer
11 lighting, on our construction trailers the typical
12 light bulb right on top of each doorway on the
13 trailers. That's all it is.

14 **MS. MOORE JOHNSON:** Construction
15 trailer.

16 **MR. REICHLE:** We will not be putting
17 up light poles or anything of that nature.

18 **MS. MOORE JOHNSON:** So that's
19 temporary in nature, temporary.

20 **MR. REICHLE:** Yes.

21 **MS. MOORE JOHNSON:** Per section
22 870-243H (1) all outdoor lighting not essential for
23 safety and security purposes shall be activated by
24 automatic control devices and turned off during
25 non-operating hours. A note should be added to the

1 plans. Are you going to have non-operating hours
2 there? You are going to have the lights on all the
3 time, right?

4 **MR. REICHLE:** They are basically going
5 to stay on all night, but the guys probably won't
6 turn them off during the day either.

7 **MS. MOORE JOHNSON:** So you will add
8 that note to the plans?

9 **MR. WILSON:** Yes, we can add that.

10 **MS. MOORE JOHNSON:** The traffic
11 impacts, the applicant is to provide a traffic
12 impact statement explaining the anticipated traffic
13 for the proposed improvements.

14 **MR. WILSON:** We will provide that just
15 referencing the other one as well, but noting that
16 access through the other lots. We will provide such
17 statement.

18 **MS. MOORE JOHNSON:** The applicant is
19 to provide testimony regarding any and all
20 environmental concerns, studies and remediation
21 pertaining to this site. Are you aware of any?

22 **MR. WILSON:** No.

23 **MR. REICHLE:** No.

24 **MS. MOORE JOHNSON:** The applicant
25 should confirm if signage is proposed on the

1 construction trailers or fencing. Such signs shall
2 be in accordance with section 870-200E. Do you have
3 any signage?

4 **MR. REICHLE:** We have no intention of
5 putting signage on the site.

6 **MS. MOORE JOHNSON:** Well, if you do,
7 then if it's not going to be approved with this then
8 you would submit a separate application just for
9 signage.

10 **MR. REICHLE:** Actually we will not put
11 signage on any, anywhere on this site. The signage
12 for the site will be identified as construction gate
13 1 on Spruce Street and it will actually list my name
14 and telephone number.

15 **MS. MOORE JOHNSON:** The applicant is
16 proposing an eight foot high chain link fence to
17 screen the construction area where only a height of
18 four feet is permitted along the front and side lot
19 lines under section 870-197F. The applicant seeks a
20 variance. That's correct?

21 **MR. LETIZIA:** Yes.

22 **MS. MOORE JOHNSON:** Per section
23 870-197G no fence shall exceed six feet high. The
24 applicant proposes the eight foot high chain link
25 fence and has requested a variance, correct?

1 **MR. LETIZIA:** Yes.

2 **MS. MOORE JOHNSON:** The proposed use
3 is temporary. Testimony should be provided on how
4 long the proposed structures will be present. So
5 it's approximately two years?

6 **MR. LETIZIA:** Yes.

7 **MR. REICHLE:** Yes.

8 **MS. MOORE JOHNSON:** Testimony should
9 be provided regarding the nature of the proposed use
10 and its operation including hours of operation,
11 employees, et cetera.

12 **MR. LETIZIA:** We can provide that.

13 **MS. MOORE JOHNSON:** Do you have an
14 approximate?

15 **MR. REICHLE:** Yes, monthly.

16 **MS. MOORE JOHNSON:** If you provide the
17 testimony right now while I'm going through the
18 letter it's less you have to say later.

19 **MR. REICHLE:** Monday through Friday
20 0700 to 1730 with the occasional weekend work
21 utilizing the same hours.

22 **MS. MOORE JOHNSON:** And we'll discuss
23 the weekend work because that would have to be
24 pre-approved.

25 **MR. REICHLE:** Yes, that's understood.

1 **MS. MOORE JOHNSON:** The plan should
2 note that the applicant will comply with the city's
3 ordinance establishing standards for the submission
4 of maps and other documents in a digital format.
5 You will add that note?

6 **MR. WILSON:** Yes.

7 **MR. REICHLE:** Yes.

8 **MS. MOORE JOHNSON:** A signature block
9 should be added to the temporary laydown site plan
10 for the approval signatures of the zoning board
11 chairperson, zoning board secretary, zoning board
12 engineer and zone officer/administrative officer.
13 You will add those four lines?

14 **MR. REICHLE:** Yes.

15 **MS. MOORE JOHNSON:** And you will add
16 the site safety note that I read before?

17 **MR. REICHLE:** Yes.

18 **MR. WILSON:** Yes.

19 **MR. LETIZIA:** Yes.

20 **MS. MOORE JOHNSON:** The summary of
21 variances and waivers, we have variances for the
22 use, the D-1 variance, the parking in front yard,
23 fence height along the front and side lot lines and
24 the overall fence height. Any other variances that
25 I missed?

1 **MR. WILSON:** Sidewalk and curbing.

2 **MS. MOORE JOHNSON:** Okay. I think the
3 regulation is only for sidewalks so --

4 **MR. LETIZIA:** That is correct, just
5 for sidewalk.

6 **MS. MOORE JOHNSON:** So 870, sorry I
7 missed that.

8 **MR. EINGORN:** 241 what?

9 **MS. MOORE JOHNSON:** 870-241.A for
10 sidewalk, yes.

11 Anything else or that's it? You are aware
12 of the approval process that I have listed on page
13 eight. If you have any questions, you can contact
14 my office.

15 **MR. WILSON:** Yes.

16 **MS. MOORE JOHNSON:** And outside agency
17 approvals, I just have Camden County Planning Board
18 and Camden County Soil Conservation District. Yes?

19 **MR. WILSON:** Yes.

20 **MR. REICHLE:** Yes.

21 **MS. MOORE JOHNSON:** All right, that
22 concludes my review.

23 **MR. LETIZIA:** I think the only -- the
24 only topic we will address, unless you would like
25 more detail is the proposed landscaping. This will

1 be landscaping that PSE&G will install once it is,
2 it has completed the construction of the
3 improvements at the breaker station. So I'm going
4 to ask Ms. DiFranza to come up and briefly give you
5 an overview of the proposed.

6 **MS. MOORE JOHNSON:** That might be,
7 would that be a separate application once they go in
8 and they finish up everything to see the
9 landscaping?

10 **MR. EINGORN:** I mean I don't see why
11 it can't be part of this.

12 **MS. MOORE JOHNSON:** Okay. I just
13 recall we've had things temporary in nature before
14 where when you have to come back to restore you guys
15 came in and actually presented a plan and an
16 application for it, but...

17 **MR. EINGORN:** It can be made a
18 condition of approval to come back, but I mean it's
19 probably quicker and easier to do it tonight.

20 **MR. LETIZIA:** We've already developed
21 the plan so we will make it a condition of this
22 approval to implement.

23 EXAMINATION OF LISA DIFRANZA BY MR. LETIZIA:

24 Q. Very quickly your background.

25 A. I have a Bachelor's degree in civil

1 engineering technology. I am a licensed
2 professional engineer in New Jersey for the past 14
3 years. I am a certified municipal engineer as well
4 for 14 years. I am employed by E2 Project
5 Management. I am a project manager in the utilities
6 group where we secure permits and approvals from
7 state, local, federal for permitting for our client
8 including PSE&G.

9 For this project we also are required to
10 prepare a landscape plan that was provided by our
11 landscaping design designer under my direction as a
12 professional engineer.

13 MR. LETIZIA: So I offer Miss DiFranza
14 as an expert in engineering and a landscape
15 architecture.

16 CHAIRMAN HANCE: Fine.

17 Q. So, Miss DiFranza, I believe you have an
18 exhibit which we will, is this A-2 I think?

19 MR. EINGORN: This is A-2.

20 (Exhibit A-2, Landscape plan for
21 PSE&G, was marked for identification.)

22 A. This is the landscape plan that was
23 prepared by our office that you have in your
24 packages except for we added some green color to the
25 actual green area of the lot. This was, this is the

1 landscape plan dated 9/30/24 as discussed. They are
2 going to, once the laydown area is complete, they
3 will remove everything in this area that was placed
4 down in the trailers and everything.

5 We are going to provide three trees which
6 are ornamental trees. They are Japanese lilac
7 trees. Three are on Spruce Street and one on 3rd
8 Street. There will be three red maples that are
9 shade trees along Cherry Street on this side over
10 here, these three.

11 Once that's complete, they are going to
12 install topsoil seed and fertilize this whole area
13 so that will be all left green. We didn't choose to
14 install any shrubs just to, for ease of maintenance
15 for the future and to help with garbage getting
16 blown into that area. This is for ease of
17 maintenance mostly. So it would be a better
18 condition now. Right now it is overgrown and
19 everything.

20 Do you want me to refer to the other
21 exhibit?

22 Q. Which one?

23 A. The rendering.

24 Q. Yes.

25 A. This will be 3, correct.

1 Q. Yes, A-3.

2 (Exhibit A-3, Spruce Street view one
3 rendering, was marked for identification.)

4 A. So this is titled Spruce Street view one
5 dated March 3. That's going, as we can see, this is
6 the overgrown vegetation over here. There is some
7 trees toward the back. This will all be removed.
8 This is the existing yard as it exists. Here is the
9 proposed view of the three ornamental trees and
10 grass area that will be installed afterwards with
11 the new station in the background. That concludes
12 my testimony.

13 Q. Thank you.

14 MR. LETIZIA: Any questions?

15 Now I will call Mr. Ricci to just briefly
16 provide the planning justifications for the mainly
17 the D variance relief.

18 MR. RICCI: Good evening again. As
19 stated we're seeking the D-1 use variance for the
20 temporary nature of this facility. I can go into
21 real particulars and sound like an attorney,
22 however, it's my opinion under the Princeton case
23 that this application because it's essentially
24 providing for the construction of the inherently
25 beneficial use is tied to it and it benefits as well

1 under that inherently beneficial use status.

2 A couple things to really understand this
3 is the fence line that runs around both projects are
4 to be connected during construction. There is to be
5 no separate access occurring from the laydown area.
6 It is all going to be internal and it's going to
7 operate as one site.

8 For technical reasons the only reason it's
9 two applications, this property is owned by the
10 city. It's separate ownership issues that are
11 occurring. That's the only reason that they are not
12 tied together right now.

13 I don't want to be repetitive, but again,
14 it's an inherently beneficial use. This allows for
15 the 6,000 plus residents of Camden to benefit. Some
16 clear benefits associated with the laydown area even
17 if it was non-contiguous, it could be down the road,
18 it could be considered inherently beneficial use
19 here. I think it's clearly some of the benefits of
20 having it right next door under the site fence line
21 because you don't have the construction traffic
22 coming in and out of the facility. It is all
23 contained on one site and I think it's clear from
24 our, we have two site engineers here, Miss DiFranza,
25 that this is only going to be used for a temporary

1 basis. So the public interest is the same as the
2 second -- first application.

3 The negative or detrimental impacts, they
4 are only for a short period of time to allow for the
5 construction.

6 Then in terms of the mitigation that could
7 be asked is that's set to the timeframe of
8 approximately two years that's been established and,
9 again, the benefits of this facility outweigh the
10 detriments.

11 I also want to point out I think it's clear
12 that I think the real benefit here is that the site
13 is going to be left in a lot better condition than
14 it is today from a visual standpoint. So that also
15 serves the general public for this area as well. So
16 you will have a nice landscaped property as well. I
17 can go into more if you want, Mr. Chairman, but
18 that's my quick view.

19 **MR. LETIZIA:** That completes our
20 presentation. We're available for more questions,
21 statements. Hopefully you will find that this
22 application meets the criteria for the grant of the
23 requested approvals.

24 **MR. EINGORN:** Questions? No
25 questions?

1 **MS. MOORE JOHNSON:** I want to clarify
2 something, so with the, with using the property, are
3 you going to do any site work? Is there any site
4 work that you are actually going to be doing at the
5 site for the laydown?

6 **MR. REICHLE:** Sure. So site work, the
7 only thing that we are really doing is we will be
8 installing the fence work around it, removing the
9 fence between the two, our property and the leased
10 property. We will be clearing the vegetation that's
11 currently there. We are going to, there is actually
12 \$50,000 worth of tires that we will dispose of as
13 part of our lease agreement or offer to the city.
14 That gets taken out. Then we will be putting down a
15 turf terra matting. It is plastic sectional for
16 heavy equipment. That gets filled with small stone
17 and then post use we take that out, we aerate and
18 loosen the soil and then prepare it for seeding.

19 **MS. MOORE JOHNSON:** Okay.

20 **MR. REICHLE:** That's the full extent.

21 **MS. MOORE JOHNSON:** So then site work
22 wise it will be two phases. When it's time for you
23 to go do your estimate, if you get approved tonight,
24 two phases, the one for the laydown and the second
25 phase is the landscaping and restoration?

1 **MR. REICHLE:** Yes.

2 **MS. MOORE JOHNSON:** So I wanted to
3 make sure we had that clear here.

4 **MR. EINGORN:** I think the applicant
5 agrees the condition of approval for the laydown is
6 the restoration complying with the restoration plan.

7 **MR. LETIZIA:** Yes.

8 **MR. EINGORN:** Is that correct,
9 counsel?

10 **MR. LETIZIA:** That's correct.

11 **MS. MOORE JOHNSON:** I just need to
12 make sure for the two phases because when it's time
13 for the guarantees and everything that everyone is
14 aware that it's, we're looking at it that way. So
15 you will get the one released and then the secondary
16 one for the restoration.

17 **MR. LETIZIA:** It does. That makes
18 sense, yes.

19 **MR. EINGORN:** Any questions?

20 All right, open to the public. Anybody in
21 the public here tonight that would like to be heard
22 on the application of PSE&G for Spruce Street, 3rd
23 and Cherry Street?

24 Hearing and seeing none, we will close the
25 public portion.

1 The board again has heard testimony,
2 planning testimony, factual testimony and some
3 argument from counsel regarding the proposed laydown
4 and restoration process and the plan, as well as
5 discussion of whether or not this would also be
6 inherently beneficial use as it's related to the
7 construction and will be attached to the property.

8 I would agree with the planner that this
9 would be an inherently beneficial use and so the
10 board should now do a discussion and propose a
11 motion.

12 Again, any motion should be conditioned
13 upon two items in this instance, compliance with the
14 Remington & Vernick letter and then the restoration
15 plan at the end of construction.

16 It's you, you know it's you. Just go.

17 **MR. STILL:** I'll go. Positive, again,
18 positive beautification is definitely a community
19 thing that I definitely look for. A lot of business
20 going on there, a lot of important business for the
21 community and for the city, but beautification
22 definitely adds something to our city that we much
23 need, especially in that area. So there goes my
24 spiel.

25 **MR. EINGORN:** Mark this date in

1 history who has the motion.

2 **MR. STILL:** Motion to pass with
3 conditions.

4 **CHAIRMAN HANCE:** Second.

5 **MR. EINGORN:** We will take a roll call
6 vote. Chairman Hance?

7 **CHAIRMAN HANCE:** Yes.

8 **MR. EINGORN:** Vice Chairman Still?

9 **MR. STILL:** Yes.

10 **MR. EINGORN:** Ms. Merricks?

11 **MS. MERRICKS:** Yes.

12 **MR. EINGORN:** Ms. Nunez?

13 **MS. NUNEZ:** Yes.

14 **MR. EINGORN:** Ms. Riviera?

15 **MS. RIVERA:** Yes.

16 **MR. EINGORN:** And Ms. Moss?

17 **MS. MOSS:** Yes.

18 **MR. EINGORN:** Having six in favor and
19 none opposed, the motion passes.

20 Thank you, counsel.

21 **MR. LETIZIA:** Thank you. Thank you
22 very much for your patience in listening to us.

23 **MR. EINGORN:** We do have one more
24 matter. That would be Tarek Turner, 779 Line
25 Street.

1 **MR. TURNER:** Tarek Turner T-A-R-E-K
2 Turner, T-U-R-N-E-R.

3 **MR. EINGORN:** We are waiting for our
4 chairman. We are on the record. This is the matter
5 of Tarek Turner, 796 Line Street. Mr. Turner is
6 here tonight requesting interpretation and use
7 variance for a home based business to assemble
8 springs and parts for firearms.

9 Mr. Turner, will you please raise your
10 right hand?

11 TAREK TURNER, having been first duly sworn,
12 testified as follows:

13 **MR. EINGORN:** State your name and
14 address for the record.

15 **MR. TURNER:** Tarek, T-A-R-E-K, Turner,
16 T-U-R-N-E-R, 779 Line Street, L-I-N-E, Street,
17 Camden, New Jersey.

18 **MR. EINGORN:** Mr. Turner, can you just
19 tell us a little bit about your business?

20 **MR. TURNER:** May I present this?

21 **MR. EINGORN:** Do you have an exhibit?
22 Sure.

23 Let the record reflect that the applicant
24 has provided a packet which contains one, two,
25 three, four colored photographs and one it looks

1 like --

2 **MR. TURNER:** A schematic.

3 **MR. EINGORN:** A page of schematics and
4 copies of parts of the ordinance. We will mark this
5 packet as A-1 to the application.

6 (Exhibit A-1, Photographs and
7 schematics of gun parts and parts of applicable
8 ordinance, was marked for identification.)

9 **MR. EINGORN:** Tell us what you've got.

10 **MR. TURNER:** Do you want me to explain
11 what the business is?

12 **MR. EINGORN:** Yes, start there.

13 **MR. TURNER:** The home occupation
14 entails the definition of a manufacturer is any
15 person who sells or trades goods, wares,
16 merchandise, growth production or making or
17 construction.

18 The definition of retail dealer or retail
19 vendor is any person, partnership, joint venture,
20 corporation or business entity who is deemed to be a
21 merchant or who buys articles in groups or
22 merchandise in large quantities, sells the same by
23 single articles or in small quantities.

24 I will be assembling springs, parts by hand
25 I won't have any outdoor signs, road traffic because

1 most of my business will go on line. I won't be
2 using any machinery or cutting metal, but assembling
3 springs and parts by using my hands.

4 I have some transfers with infrequent
5 visits which will not violate the provision code
6 stated above.

7 The definition of manufacturer is similar
8 but somewhat different to ATF definition. Any
9 person engaged in the business of manufacturing
10 firearms for the purpose of sale or distribution the
11 ATF interprets manufacturing as any work done on a
12 firearm prepared for sale. Installing these parts
13 into frames or receivers or disassembling, also
14 reassembling firearms for sale, it could even mean
15 purchasing used or new guns and modifying them for
16 sale as for repair or any work done before sale.

17 So me doing the simple task as assembling
18 springs and parts are considered manufacturing and
19 considers me a manufacturer under ATF's definition
20 unless it's for personal usage only, which then I
21 wouldn't be considered a manufacturer or
22 manufacturing, but I wouldn't be able to sell it
23 without the appropriate license and the approval
24 based on, that would be for profit and not personal
25 usage.

1 The definition above of the ATF doesn't
2 just mean cutting metals or using machinery, which I
3 won't be doing any by the way. The ATF refers to
4 everything above as manufacturing and states you are
5 a manufacturer when you do so even if there is no
6 metal, any metals cut or machinery used.

7 The State of New Jersey doesn't consider me
8 a manufacturer or being a manufacturer. They
9 consider me everything above under gunsmithing or a
10 retail dealer may or may not do. So I'm considered
11 a retail firearm dealer by the standards of the New
12 Jersey State Police and I'm instructed to fill out a
13 retail firearm dealer's application and not a
14 manufacturer application because I'm not considered
15 as such by the New Jersey law or the New Jersey
16 State Police.

17 I contacted the New Jersey State Police
18 November 19th, 2024 and was told that New Jersey
19 doesn't consider it manufacturing, but I'm still
20 considered, I'm still instructed to fill out and
21 apply for the ATF manufacturing 07 application and
22 get the ATF 07 license as such.

23 The officer explained that mostly all New
24 Jersey federal firearm licenses and firearm dealers
25 have had to switch to 07 manufacturers from 01

1 dealer license due to the ATF's new definition of
2 standard. The officer made it clear that I'm not,
3 that I'm still considered a retail dealer under New
4 Jersey's law with the New Jersey State Police and
5 not a manufacturer because I'm not cutting any
6 metals or using any machinery to make manufacturing
7 markers, which is just a variance marker which means
8 if you cut into it, you have to notify the ATF and
9 you have to sign some forms. I'm not doing that.

10 So there aren't any manufacturing happening
11 at the business property based on New Jersey's law
12 or New Jersey State Police. I'm just assembling
13 springs, considered a New Jersey retail firearm
14 dealer so manufacturing per their ATF IOI, which is
15 the industrial operation investigator's definition
16 but not by the zoning board's definition or by the
17 New Jersey State Police or New Jersey law's
18 definition. I am not a manufacturer. I am a simple
19 retail dealer or a gunsmith.

20 **MR. EINGORN:** All right, let's start
21 with the apology because I know nothing about guns.
22 I know nothing about guns and I know very limited
23 things about springs --

24 **MR. TURNER:** If you look at the
25 schematics.

1 **MR. EINGORN:** -- other than in my
2 garage door. Let's start with the schematics. So
3 we know what you are dealing with, everybody has
4 gotten the schematics here. So show me, hold this
5 and show everybody what you are actually doing.

6 **MR. TURNER:** This is the only thing
7 that is considered a firearm. This is not
8 considered a firearm, none of these parts. Only
9 that because that's a serial --

10 **MR. EINGORN:** What are you doing?

11 **MR. TURNER:** On some of these pieces
12 assembling, I can sell all of these pieces besides
13 that.

14 **MR. EINGORN:** You say assembling
15 springs. What does that mean?

16 **MR. TURNER:** Springs and parts.
17 Springs and parts.

18 **MR. EINGORN:** And you are --

19 **MR. TURNER:** Those are springs and
20 parts.

21 **MR. EINGORN:** What are the parts made
22 out of?

23 **MR. TURNER:** Barrels.

24 **MR. EINGORN:** What are they made out
25 of, metal or plastic?

1 **MR. TURNER:** Metal.

2 **MR. EINGORN:** You said you are not
3 doing any machining?

4 **MR. TURNER:** No, I'm not cutting
5 anything.

6 **MR. EINGORN:** So how are you making,
7 are you assembling?

8 **MR. TURNER:** I assemble with my hands.

9 **MR. EINGORN:** You get the parts all in
10 separate pieces?

11 **MR. TURNER:** And then assemble.

12 **MR. EINGORN:** You put together
13 everything except for --

14 **MR. TURNER:** That.

15 **MR. EINGORN:** -- this one piece.

16 **MR. TURNER:** I don't put that
17 together. That gets cut by a manufacturer, but once
18 I have it in my possession I'm considered a
19 manufacturer because now I'm putting other small
20 pieces onto that piece that was already previously
21 manufactured.

22 **MR. EINGORN:** So this here which I'm
23 circling for the record --

24 **MR. TURNER:** Only that, this piece.

25 **MR. EINGORN:** Only this piece. This

1 one piece.

2 **MR. TURNER:** On the lower receiver.

3 **MR. EINGORN:** I will pass that down so
4 everybody can see what I did.

5 **MR. TURNER:** In the exhibit photo it
6 should be, I actually have a note in there in the
7 last one that shows you a piece. You should see a
8 full piece on the photo that I assembled.

9 **MR. EINGORN:** So the applicant said
10 that all of these pieces will assemble except for
11 the one drawing here.

12 **MR. TURNER:** This is, this is the
13 piece I assemble here.

14 **MR. EINGORN:** He said he assembles all
15 this except for this one piece here. I will come
16 down here.

17 **MR. TURNER:** It is a lower. It's not
18 a complete gun.

19 **MR. EINGORN:** This is the one that he
20 will not assemble. Everything else he can assemble.
21 We will ask him questions.

22 **CHAIRMAN HANCE:** Do you have any type
23 of licensing or permits or anything like that?

24 **MR. TURNER:** I have to get that
25 through you guys. I have to get a permit to do it

1 for sale, but I don't have to do it for personal. I
2 do it for my own stuff personally, but once I get
3 the permit from you guys that it's okay for me to do
4 so then I go back to the ATF because the ATF won't
5 let me do it without the approval of you guys.

6 **MR. EINGORN:** So this is your first
7 step in the licensing process?

8 **MR. TURNER:** Yes. I can't do anything
9 until I get the approval from you guys. I can do it
10 for myself, but not for sale.

11 **MR. EINGORN:** That's the first
12 question. So now we know what's going on there. We
13 don't have licenses yet because this is the first
14 step.

15 Now, this isn't just going to be an office,
16 you live here.

17 **MR. TURNER:** I live here, residence.

18 **MR. EINGORN:** You own the property or
19 do you rent it?

20 **MR. TURNER:** I have permission through
21 the owner, owner consent.

22 **MR. EINGORN:** You have a lease?

23 **MR. TURNER:** No, family.

24 **MR. EINGORN:** You live with family?

25 **MR. TURNER:** Yes.

1 **MR. EINGORN:** And so the parts that
2 you are showing in the photographs, those are yours?

3 **MR. TURNER:** That's mine.

4 **MR. EINGORN:** You have a gun permit
5 through the state?

6 **MR. TURNER:** Yes. Do you want to see
7 it?

8 **MR. EINGORN:** Sure. Let the record
9 reflect that the applicant has provided a State of
10 New Jersey firearm identification card date approved
11 October 1, 2024. I have never seen one of these
12 before so I don't know, I can't comment as to
13 authenticity. I will take the applicant at his
14 word. He is under oath. That will become evidence
15 for the record.

16 Obviously this is, you know, something that
17 is dangerous in and of itself, right? It is a gun.

18 **MR. TURNER:** It is a gun.

19 **MR. EINGORN:** I know it's missing
20 pieces. What kind of -- I will just pass this down
21 this has to go back to the applicant. This is his
22 firearm permit.

23 What kind of protection for the property,
24 the people inside, are you going to have to make
25 sure the safety and efficacy of not only the people

1 that live there, but the people who live outside the
2 building that may not know this is going on next
3 door?

4 **MR. TURNER:** Once I get the approval
5 from you guys, it doesn't stop there. Then I have
6 to get the approval through the New Jersey State
7 Police. They come out and they look and then the
8 ATF comes out and looks too. They make sure that
9 you have, I should have it right here, they make
10 sure you have an alarm system which I do have,
11 security system.

12 **MR. EINGORN:** You said security
13 system. Does that have cameras?

14 **MR. TURNER:** Cameras and windows, I
15 have everything on the windows so if you lift them
16 up, it will be cameras on the rear and front. I
17 have a key pad. I have what they call trigger
18 locks. So you stick a piece so they won't be able
19 to work and then you put them into another safe.
20 You can't get your license until the New Jersey
21 State Police comes out and makes sure all that is
22 taken care of. You have to have an alarm system
23 which I do have. You have to have telephone, you
24 have to have security cameras in the rear and front,
25 which are actually looked at 24/7 by a professional

1 monitoring company. Then they put it into a locking
2 cabinet which is like a smaller safe. So it's not
3 really a full gun, but it's parts so you still keep
4 the parts separate basically. So you still have to
5 keep them stored and they are stored in the last
6 photo. There should be a door right there. That
7 door leads to the basement, the door, that will be
8 stored and is approved by the New Jersey State
9 Police. It is the third one. Right behind that
10 should be a door, behind that door right there
11 that's the door that the state police will use. It
12 will go behind that with a lock on it.

13 **MR. EINGORN:** There will be a safe in
14 there?

15 **MR. TURNER:** A small little safe.
16 It's not required to do so by New Jersey because
17 it's not, it's just parts and not considered a full
18 weapon but when you do put it in there they only
19 require you to put a trigger lock which is you
20 putting something the hand guard or you put
21 something in there where a magazine will go which is
22 under here. You see under there the magazine, they
23 will put a piece inside there to make sure that
24 nobody can use it. So if you did take it and you
25 had a barrel you wouldn't be able to use it. They

1 require you to break it and destroy it.

2 **MS. NUNEZ:** So, Mr. Turner, who would
3 the customers be who will be buying these?

4 **MR. TURNER:** Oh, the items I make I
5 will sell on the gun.com or e-commerce basically.
6 It wouldn't be from somebody banging on my door.
7 I'm not open for business like that.

8 **MS. NUNEZ:** Everything is online?

9 **MR. TURNER:** 80 percent of it is
10 online and then if I have someone local maybe they
11 come out and pick it up, but it's by appointment
12 because you have to have access of doing that by ATF
13 standards.

14 **CHAIRMAN HANCE:** So do you record
15 everything meaning you write everything down, you
16 take ID?

17 **MR. TURNER:** I have to do everything
18 like that through the ATF. You have to make sure
19 you get the ID, the ID, you have to keep that, you
20 have to fill out a form to make sure they can have a
21 firearm and they have a waiting period three or four
22 days to make sure I have all that and I do it either
23 through paper or I do it electronically. So either
24 or. Once it runs through the New Jersey system
25 about three to four days, then you are able to give

1 it to them, not before then.

2 **MS. RIVERA:** I have a question. So
3 you say you are making a spring, not the gun itself.

4 **MR. TURNER:** The barrel is not on
5 there. The part you see in the photograph is called
6 a lower receiver. There is no barrel. There is
7 nothing else on it besides that. You sell them like
8 that and then people in New Jersey they can buy them
9 as lowers and then they are able to put their own
10 parts on if they decide to. Basically that allows
11 them to do that.

12 **MS. MOSS:** Are there any children in
13 your home?

14 **MR. TURNER:** No, I don't have any
15 children.

16 **MS. RIVERA:** Around.

17 **MR. TURNER:** I don't have any children
18 at home or around.

19 **CHAIRMAN HANCE:** You do a background
20 check if you were buying a gun?

21 **MR. TURNER:** The same way. It is the
22 same way because it's considered a firearm, those
23 little parts, but not the rest of the parts.

24 **MS. MERRICKS:** I have a question.
25 Guns scare me so just in case the parts get missing,

1 somebody comes in, just God forbid, somebody comes
2 in and takes the parts, so now you made all these
3 springs and so somebody gets access to like hundreds
4 of guns.

5 **MR. TURNER:** No, no, the springs, the
6 most important part is the frame. That frame, the
7 part that you see, and they are, that is the most
8 important part is this, that. That's the most
9 important part. All of these little parts you
10 combine. You can't buy this like that. The
11 manufacturer gives that to you. I don't make them.
12 I don't cut my own metal. You can buy them from the
13 manufacturer or you can buy them from other gun
14 sellers if you want. Some people, some guys have
15 the ability to make them themselves. I don't do
16 that.

17 **MS. MERRICKS:** So this is coming
18 across my mind. So if like, so if the gun, they can
19 just buy one of those and bam they have a gun?

20 **MR. TURNER:** The frame.

21 **MS. MERRICKS:** If they buy the piece,
22 am I confused?

23 **MR. TURNER:** No, that part is
24 considered the gun because it has a serial number on
25 it. The reason that ATF does that, they do it for

1 trafficking, gun trafficking and once it is
2 serialized they keep it in case somebody gets those
3 little parts some other place and takes them to
4 Mexico or whatever and sells them, they will know
5 that you and the customer who bought the parts sold
6 it to him and he took that gun and went and did
7 something with it.

8 In order for somebody to get that part from
9 me they will have to get through the surveillance,
10 they will have to bust through the door, they will
11 have to bust through another door, they have to go
12 through the safe and then at that point they will
13 have to know how to put a gun together.

14 **MS. MERRICKS:** So the difference
15 between you and a gun shop is you don't have all the
16 equipment to the gun. The gun shop has all the
17 equipment.

18 **MR. TURNER:** The difference between me
19 and the gun shop is some gun shops are just dealers.
20 So they just sell the gun and they don't fix them.
21 They don't put them together. That's two things.
22 That makes it different. Another thing is they do
23 sell full ones. They sell the barrel and everything
24 on it. I'm selling just the frame.

25 **MS. NUNEZ:** How did you get interested

1 in this? I'm curious.

2 **MR. TURNER:** I always liked to put
3 stuff together, so watches and things like that. I
4 figured why not, I will put this together.

5 **MR. STILL:** I have two questions. One
6 of them, how do you guarantee that your parts work?
7 How do you -- you are selling somebody something
8 online, you are making springs, how do you guarantee
9 the functionality of what you making is guaranteed?

10 **MR. TURNER:** Basically the frame --
11 well, when you do take the frame and you put the
12 trigger inside it, you can click it and make sure
13 everything is functioning correctly.

14 **MR. STILL:** Even without that piece.

15 **MR. TURNER:** Even without the piece
16 because that piece is just to fire rounds, ammo out
17 of the barrel. I don't have any barrel on it. They
18 will have to go get their own barrel and put it on
19 themselves and find out on their own. There is no
20 barrel on it.

21 **MR. STILL:** So another question, you
22 said you are selling it online. Where are you
23 getting these things from?

24 **MR. TURNER:** The pieces?

25 **MR. STILL:** Yes. So everything you

1 have on these pictures, where are they coming from?

2 **MR. TURNER:** You can buy those pieces
3 from gun.com if you want. You can buy them from a
4 manufacturer.

5 **MR. STILL:** Where do you get them?

6 **MR. TURNER:** I buy them from a local
7 manufacturer/dealer. So I get mine from Legacy down
8 in, I think they moved from Cinnaminson down to
9 Maple Shade, but I go down to Legacy, down to
10 Michelle and I get mine from there.

11 **MS. MOSS:** How would you deliver your
12 product to someone else?

13 **MR. TURNER:** Oh, well, you do it
14 through the postal service. You use U.P.S. or FedEx
15 and use two day express. You have to fill out the
16 proper documents and stuff like that and then you
17 can ship them through the mail. That's how people
18 do it, they ship them through the mail.

19 **MS. RIVERA:** You said you don't have
20 machinery or anything, you just do the spring.

21 **MR. TURNER:** No, ma'am. I just do the
22 springs, the little pieces.

23 **MS. RIVERA:** Everything you buy you
24 make it together.

25 **MR. TURNER:** I put them together and

1 make it. If you can see the schematic, I have one
2 here.

3 **MS. RIVERA:** So you buy every single
4 piece?

5 **MR. TURNER:** Every little piece. They
6 come separate. You have to put all of those little
7 tiny pieces together and put them all together
8 before it can work and some person if they had this
9 would have to know that themselves.

10 **MS. RIVERA:** Let's say if I, if I was
11 one of your friends and I will say hook me up, dude,
12 you know, put it together, put the whole thing
13 together for me.

14 **MR. TURNER:** Does he have a license?

15 **MS. RIVERA:** I will say to you put it
16 together for me, would you do it?

17 **MR. TURNER:** You couldn't do that
18 unless he had the proper license to do so. He
19 couldn't have the gun if he don't have that. Now,
20 if he had that, they call it knockdown condition.
21 Sometimes people either ship guns like that with all
22 the parts separate, you can because the parts are
23 not mine. So he would have to bring me the parts.
24 I could not do that with my parts. If I did it with
25 my parts it would be different. He could bring me

1 all the parts and put them there and I make sure the
2 parts are there, but he would have to buy the frame
3 from another person and he is just paying me for the
4 labor to put it together.

5 **MR. STILL:** So you say you get them
6 from Legacy, right? I'm wondering why this box says
7 Palmetto.

8 **MR. TURNER:** Palmetto is the big
9 manufacturer. That's the manufacturer in South
10 Carolina. South Carolina manufactures, sells it to
11 other dealers, and even though you are a dealer and
12 you are not manufacturing like cutting it, you still
13 are considered a manufacturer once you take that
14 part and put other pieces on it. So even though
15 Legacy is not Palmetto, like with an actual
16 machinery and a factory they can buy their parts and
17 resell them, and once they have them there they are
18 considered a manufacturer.

19 **MS. MOSS:** How high is the demand for
20 your --

21 **MR. STILL:** Springs.

22 **MR. TURNER:** For that considering with
23 New Jersey a lot of times, a lot of people want to
24 do certain things that in New Jersey you couldn't
25 actually have. So say you wanted, you might not

1 know what this, say you wanted a short barrel rifle,
2 which you cannot have, say you wanted something like
3 an M4 Colt or you wanted something unique, you could
4 not get it unless you got it in parts. So maybe you
5 want a Picatinny rail set which means that you can
6 put a whole bunch of parts on it meaning scopes,
7 optics, lights, lasers, all those things on it, but
8 maybe you couldn't buy that in the store, you have
9 to get those parts and be able to -- I will have to
10 make it.

11 That's the only way you will be able to
12 have that. You can't have it otherwise unless it
13 was in knockdown condition.

14 **MR. STILL:** What's knockdown
15 condition?

16 **MR. TURNER:** Meaning all the little
17 parts, they are all separated. That means it's not
18 a full firearm. It's a knockdown. You can't just
19 use it.

20 **MS. MERRICKS:** So I have a quick
21 question. So if I have a gun license I can come to
22 you and say, hey, I got a gun license and I want to
23 get parts because I'm trying to --

24 **MR. TURNER:** You would have to know.
25 That would mean that you probably have seen the

1 website and you bang on the door, you went on the
2 website and seen me, you can say yes, I have this
3 and I would say let me see your card. I can check
4 it. I have your ID. Then I have to make you wait a
5 couple days because it has to go through the system.
6 I have to make sure you don't have a record, you are
7 not restricted and then there are no delays and then
8 I can deal with you.

9 **MS. MERRICKS:** How do you know that
10 the license is authentic?

11 **MR. TURNER:** You put it through the
12 New Jersey system. The New Jersey system, that's
13 the good thing about the system. Once you put that,
14 if you see my thing, where is it at, once you put --

15 **MS. MERRICKS:** Like a driver's
16 license.

17 **MR. TURNER:** SBI number, the SBI
18 number is my fingerprints. That's my number in the
19 system. If my fingerprints are not correct when I
20 run it and they call it the NCIC, the national
21 criminal database to make sure that you are not a
22 criminal basically breaking the laws recently.

23 **MS. MOSS:** There is a brick and mortar
24 store where someone does --

25 **MR. TURNER:** Does that? A lot of

1 times when you are dealing with brick and mortar the
2 way guns are a lot of times they only have like a 30
3 percent basically up-charge that you can put on
4 them. So a lot of times when you get to the store a
5 lot of times people are going to charge you more for
6 it because it's knockdown. Knockdown condition
7 saves you money.

8 **MS. RIVERA:** How much do you charge if
9 you don't mind me asking?

10 **MR. TURNER:** I haven't decided yet
11 what I will charge, but a lot of times people charge
12 either between \$340 bucks or \$400 bucks to assemble
13 the pieces themselves and then it's after they buy
14 the pieces so that's just my labor.

15 **MR. STILL:** So a quick question, it
16 sounds like you did your research and you are
17 thorough. You just got your license October 2024.
18 How advanced are you at doing this?

19 **MR. TURNER:** Okay, the reason you need
20 a license because in New Jersey previously with
21 Chris Christie you can go to the range, you can do
22 everything. Before then I didn't need one. I
23 didn't really need one. I could do everything, but
24 then with the new people coming in it changed a lot
25 of rules and now you need a lot of things. You

1 can't even inherit a firearm without having it.
2 Back then if my grandmom had one and grandpop they
3 could give it to me and there was no issue. Now
4 everybody needs one.

5 The same way with this manufacturing thing.
6 Everybody needs one or you won't be able to do
7 whatever that is. I have the license that I'm new,
8 that just means I got the license but not newly
9 exposed to firearms.

10 **MS. RIVERA:** Can I open it?

11 **CHAIRMAN HANCE:** How long have you
12 been exposed to firearms?

13 **MR. TURNER:** A long time. I have been
14 exposed to firearms, knives, little things like
15 that.

16 **CHAIRMAN HANCE:** The question I'm
17 asking is how long, because my dad taught me, so how
18 long 10 years, 14?

19 **MR. TURNER:** Between that, but I had
20 early exposure to guns, things like that so if you
21 got your grandfather, they take you out to hunt and
22 other things like that, I did martial arts so you
23 are exposed with them taking them and moving them
24 and I would say my expertise, I would say I'm
25 comfortably, I would say comfortably good 10 years.

1 I will say that's good. I would say that gives me
2 enough expertise to say I know what I'm doing.

3 **MR. STILL:** So you said the NCIC, they
4 have to check your fingerprints you said.

5 **MR. TURNER:** On my ID here it's an SBI
6 number that's for the fingerprints. You get them
7 when you go to file for a gun. And the NCIC
8 basically runs all of that. It makes sure if you
9 have anything in the FBI, anything local to make
10 sure you don't have any problems and then they make
11 you wait because New Jersey makes you wait. Some
12 other states my grandfathering in North Carolina
13 they can walk in there and walk out after 15 minutes
14 after getting something. New Jersey doesn't allow
15 you to do that. They make you wait a couple days.

16 **MS. RIVERA:** You don't have the
17 fingerprint.

18 **MR. TURNER:** It is the SBI number.
19 You can't have it without getting fingerprinted.

20 **MS. MOSS:** You just picked this up?
21 You don't work professionally, weren't
22 professionally taught?

23 **MR. TURNER:** Well, how you do this, I
24 usually do it, they have courses that you have
25 online and you can take gunsmith courses and things

1 like that, and once you take a few of them and you
2 figure that out, like the same thing for this whole
3 thing you have to take some courses. I will name a
4 few you have when you start to do your ATF process,
5 you might take a course for dealing with processing
6 certain sheets and papers and collecting and making
7 sure that you are compliant, meaning things like the
8 ATF will come to your house, they will check your
9 papers, they will check your logbooks basically
10 books meaning things coming in and things going out.
11 They make sure you are not selling anything to
12 anybody that is not supposed to be sold to and they
13 watch you and make sure you're not, and if you are,
14 they will find out and then you will, you will go to
15 jail. You broke the law.

16 **MR. STILL:** Sorry to interrupt. You
17 were asked about classes you were about to go to,
18 classes that you took and I want to know what
19 classes they were.

20 **MR. TURNER:** I'm trying to find the
21 best way I can explain it. You can take, I mean
22 it's not required to do so, especially if you have
23 your own because you learn your own experience from
24 having your own, but you can take a variety of
25 courses on line. It doesn't matter. They have

1 university courses, but I don't think it's that
2 serious for me. When you have university courses
3 because you are making markings and variants and
4 stuff like that, that means you are digging in
5 metals, you have to notify the department because
6 you start dealing in things like maybe, I don't
7 know, machine guns or something crazy wild out there
8 working with the police department, those people
9 need to actually take specific courses for specific
10 things. It's not required to do so through me.
11 Usually you just read books, you assemble them, you
12 make sure it works, you find out and it is a process
13 like that. It's usually done like that.

14 **MS. MOSS:** So no certifications.

15 **MR. TURNER:** They don't come with
16 certifications. That would only be for markings and
17 things like that or barrels. I don't deal in
18 barrels they have to make sure they are pressurized
19 meaning if you go and get a barrel and put it on and
20 it is not pressurized they can explode. I don't
21 deal with that. That's not my expertise. My
22 expertise is putting springs and parts. All the
23 springs and parts have been tempered already. They
24 went through the process of manufacturing all of
25 that. I didn't do that.

1 **MR. EINGORN:** Can we talk about the
2 neighborhood a second? So did you draw this
3 picture?

4 **MR. TURNER:** Yes. That's just the
5 front of the house.

6 **MR. EINGORN:** Is this a row house?

7 **MR. TURNER:** Yes.

8 **MR. EINGORN:** Is there a house on
9 either side?

10 **MR. TURNER:** There is a house on
11 either side.

12 **MR. EINGORN:** And there are houses
13 directly across the street?

14 **MR. TURNER:** I think two lots, two
15 lots are there. It is two houses, but another one
16 is a lot now. They took it down.

17 **MR. EINGORN:** So there is a vacant
18 lot?

19 **MR. TURNER:** On that side.

20 **MR. EINGORN:** And two houses across
21 the street?

22 **MR. TURNER:** Yes, two houses and one
23 vacant on the side.

24 **MR. EINGORN:** Do you know all the
25 neighbors?

1 **MR. TURNER:** Yes, I know the
2 neighbors, not all of them, but I know the
3 neighbors. They have been there for a long time.

4 **MS. RIVERA:** Do they know you are
5 doing this?

6 **MR. TURNER:** Yes. You have to do a
7 public notice for whoever. They should have known.

8 **MR. EINGORN:** He had to send notice to
9 everybody so they should know. I'm assuming the
10 person in the audience is not your neighbor or
11 family member.

12 **MR. TURNER:** Family member.

13 **MR. EINGORN:** Because you arrived
14 together. The neighbors didn't show up. So the
15 application requests interpretation and then a use
16 variance if the interpretation is approved. I don't
17 fully understand what interpretation would be
18 requested to provide.

19 **MR. TURNER:** I think the zoning
20 officer didn't understand some of it and I sent the
21 schematics to him. He said I may need an
22 interpretation of approval for it. I didn't
23 understand because I thought as home occupation I
24 thought I was permitted within the ordinance based
25 on the conditions. I don't have any adverse

1 effects. I fit the negative criteria. There is no
2 harm to the public or the zoning.

3 **MS. MOSS:** So anybody with a license
4 can buy?

5 **MR. TURNER:** Yes. If you have a
6 license you can buy.

7 **MS. MUHAMMAD:** That is anybody?

8 **MR. TURNER:** That's just with guns in
9 general there that is no different, that means that
10 you are actually fit to have a gun once you do this.

11 **MS. MUHAMMAD:** I'm looking at this gun
12 that you have in the picture like this. This is not
13 like a handgun. Are these in your basement in
14 Camden so these type of guns would be on the street
15 of Camden?

16 **MR. TURNER:** No, no. Camden, the
17 average person in Camden doesn't even, to be honest
18 don't have firearms, don't go hunting. The majority
19 of my people are going to be outside of Camden, some
20 are located in Camden, but the majority of my
21 customers are outside.

22 **MS. MUHAMMAD:** What market do you
23 have?

24 **MR. TURNER:** Well, you can see just in
25 general with the crime statistics and things like

1 that whenever you look at crime in Camden it is
2 usually not violent by firearm holders. It is
3 usually by illegal traffic guns. They are not by
4 people like that.

5 **MR. STILL:** So she asked how is your
6 marketing, like how do you market your product?

7 **MR. TURNER:** Oh, you can, they --

8 **MR. STILL:** How do you market your
9 product?

10 **MR. TURNER:** Think of the guns like
11 eBay so you have guns.com, put it on there, you can
12 auction pieces and you can sell, you can put other
13 toys on it, which toys will mean optics, Picatinny,
14 rails, lights, lasers, you can spray paint them, you
15 can do all of these things to make it unique because
16 you can't go to a place to have that done. Once
17 they give it to you, that's on you to do all that
18 and a lot of times people don't know how to do it so
19 they don't do it so they have to pay for a unique
20 one themselves.

21 **MS. MUHAMMAD:** Unique meaning?

22 **MR. TURNER:** Custom, that will cost
23 them a lot more money from a regular brick and
24 mortar because they can't do that.

25 **MS. MERRICKS:** They don't have control

1 over it, but like the ghost guns --

2 **MR. TURNER:** That's illegal in New
3 Jersey. You can't do that. That's not -- you can't
4 do that. That's illegal. You can do that --

5 **MS. MERRICKS:** I know they are
6 illegal, but can it be done?

7 **MR. TURNER:** No, they would need a
8 printer to do that and that would be they need a
9 frame and do all the printing stuff. That's
10 illegal.

11 **MS. MERRICKS:** Like I said, I don't
12 know about guns. I want to be clear.

13 **MS. MUHAMMAD:** He explained it.

14 **MR. TURNER:** Is it not explained the
15 best way? I think I explained it. It is
16 complicated. It's just that in the ordinance it
17 states that unique you need to get the condition or
18 permit from you guys to actually be able to do it.

19 **MR. EINGORN:** Here is the thing.
20 There is a request for interpretation which I don't
21 really understand. I don't know if it means is this
22 an interpretation that what the applicant is
23 proposing is a home based business as opposed to
24 manufacturing? I don't know. I'm going to be
25 honest, I don't know what the zoning officer is

1 requesting. When IPAK came in I know that's a
2 totally different beast. They are not assembling
3 gun parts or whatever it may be. They are
4 assembling other things. They came in with a
5 similar argument which was a different zone,
6 whatever, but they said we're not manufacturing
7 anything, we're assembling the stuff and putting it
8 in boxes and shipping it out. So it was a similar
9 kind of argument. I don't remember if that was an
10 interpretation or not. I mean they were determined
11 I guess to be a manufacturer even though they were
12 just putting things in boxes essentially is what
13 they argued. They were putting together like
14 brochures and stuff. I think everybody here knows
15 what IPAC does. They are a pretty big member of the
16 community now. So I guess the issue I don't really
17 know is the interpretation that this is a home based
18 business as opposed to manufacturing and then
19 Mr. Turner made the argument this isn't
20 manufacturing under these other laws, but really
21 that doesn't apply to the definition of what the
22 ordinance would say. It is the board's job to take
23 the definition as it believes it to be and interpret
24 the zoning ordinance, right, in that way.

25 **CHAIRMAN HANCE:** So how could you find

1 out?

2 **MR. EINGORN:** We can talk to Dr.
3 Williams. The other issue is this. For sake of
4 argument, the applicant, you say you determine that
5 this is a home based business and not manufacturing,
6 right, the applicant would still need a use variance
7 to operate this.

8 **MR. TURNER:** That's what he said.

9 **MR. EINGORN:** We're getting there.
10 One of the key elements is to promote the general
11 welfare and to have some kind of benefit to the
12 community to deviate from what the zoning ordinance
13 says. We have a master plan. We have an ordinance
14 and that's meant to guide the direction of the way
15 the city is supposed to go. In order to deviate
16 from what's allowed in that zone you have to
17 demonstrate this promotes the general welfare,
18 right? This is a business for your personal gain,
19 right? Hold on. So I don't know how this in and of
20 itself would, which is really for, take the gun part
21 out of it for a second, this is something that's
22 going to benefit Mr. Turner and he is probably
23 really good at this and he probably stands to make a
24 lot of money, and maybe that's great and all, but to
25 meet the burden, the burden is how does this promote

1 the general welfare of the community, and I don't
2 know that he has the ability to show that. We will
3 give him the opportunity to discuss it.

4 That's kind of the steps forward versus
5 interpretation that it's a use variance and then
6 obviously you have to come back with a notarized
7 consent letter from the owner which --

8 **MR. TURNER:** I gave you that.

9 **MR. EINGORN:** That's taken care of.
10 We did have a question.

11 **MS. RIVERA:** How many, are you the
12 first person in Camden that is doing this or there
13 are other people.

14 **MR. TURNER:** That's what makes mine
15 unique. There is no other business like mine.
16 That's what makes mine unique. That's my talking
17 point in here too when I say there is no other one.

18 **MR. EINGORN:** This might be allowed
19 under the industrial zone or one of the other zones
20 where these types of things are handled. I don't
21 know. I don't memorize the ordinance.

22 **MS. MERRICKS:** I'm asking about the
23 kids on the block. I worry about the little kids.

24 **MS. MUHAMMAD:** It is a residential
25 area.

1 **CHAIRMAN HANCE:** But your next step
2 would be the state police.

3 **MR. TURNER:** The ATF and state police.
4 This is what you consider they call it just the home
5 FLL. It is allowed. People have them. They have
6 them in New Jersey. Home FLL they have them in
7 residential places. They have been doing it since
8 the 70's.

9 **MS. MUHAMMAD:** It is allowed.

10 **MR. TURNER:** Home FLL is a firearm,
11 federal firearm license meaning me.

12 **MS. MUHAMMAD:** That's the wrong
13 ordinance.

14 **MR. TURNER:** I was talking for a
15 different point for him.

16 In the ordinance it does say firearm
17 dealers would need conditional or the conditional
18 use would need permission through you guys and it
19 doesn't say that it's not allowed in there. It just
20 says with conditions.

21 **MR. EINGORN:** Any use that's not
22 specifically permitted in the zone is prohibited.
23 That's in the ordinance. I can't remember the
24 ordinance section. It is a very large document.

25 **MR. TURNER:** I've seen prohibited use

1 in my zone. It was signs, lodging, houses and
2 everything else and I seen section 7201 home
3 occupations were allowed and that's usually what
4 people follow when they do file for FLL. They file
5 for a home occupation permit. That's what they
6 usually file for. I will still get a license, you
7 could --

8 **MR. STILL:** So to get you a license,
9 you could apply to say that you are doing a home
10 business --

11 **MR. TURNER:** In order to do this with
12 the ATF in, if you go on the site and you can see it
13 because on your ordinance, it says firearm dealers
14 and it says conditional uses meaning you need
15 permission to do such thing, and if I try to file
16 with ATF they are going to deny it because they are
17 going to say you didn't go in front of your board to
18 ask and you need permission through them first and
19 then I will probably just wait three weeks for the
20 application for them to come out and tell me, oh,
21 you don't have permission from them, go back and get
22 permission and if I don't get permission within the
23 30 days or 60 days they give me back my fee, but
24 then it will start all over again and that means
25 photos, fingerprinting, interview all over again

1 because you don't have the approval of the zoning
2 officer to do such things, the approval from you
3 guys.

4 **MR. EINGORN:** The application you were
5 talking about, that was a woman who was registered
6 with the military and none of the things she was
7 selling entered the premises. She would contact
8 outside people who manufactured, she was a middle
9 person for military shipping of logistics. That was
10 a different application.

11 **MR. TURNER:** This is just a simple
12 retail dealer. I'm just a simple retail dealer by
13 New Jersey State Police.

14 **MR. EINGORN:** Does the board have
15 enough information it needs to to weigh the
16 application? I really wish I had a better idea of
17 what Dr. Williams was stating with the
18 interpretation. Like I said, I'm assuming that it
19 means that this is a home based business as opposed
20 to manufacturing or whether this assembling of
21 springs constitutes a home based business I guess is
22 what the request is on the interpretation.

23 Any other questions or anything or we can
24 open to the public. There is none but I have to do
25 it for public purposes.

1 **MR. TURNER:** Should I do a negative
2 criteria?

3 **MR. EINGORN:** If you have more
4 testimony.

5 **MR. TURNER:** The negative criteria
6 basically means that I won't have any harmful
7 effects to the zoning plan if a variance is granted
8 and the positive just means that if I'm granted a
9 variance that will promote the well-being of the
10 zoning plan and with this home occupation there will
11 not be any adverse effects, odor, noises, equipment,
12 or processes. No commercial vehicles, semi-trucks,
13 no goods or supplies or anything delivered in a
14 four-wheel delivery service vehicle, no external
15 exterior evidence of it, no outdoor storage, no
16 increase of utilities, no waste of sewage than the
17 normal residential use, no outside appearance at
18 all, no lights, signs indicating what's inside, no
19 illegal activities. The operation will be, hours of
20 operation will be between one to five and later on
21 maybe 10 to six. It's compatible with the
22 neighborhood because you can't see outside -- there
23 is no signs, there is nothing outside showcasing
24 whatever it is.

25 All requests for approval of conditional

1 use, the burden of proof shall be on the applicant.
2 The board shall be guided by the following
3 principles. The proposed use can be prejudicial to
4 the character of the neighborhood. The proposed use
5 does not affect adversely the general plan or the
6 physical development of it which means it shouldn't
7 have any negative effect on granting the variance.
8 The board may not exercise its power to grant a D
9 variance unless otherwise warranted, however, unless
10 the so-called negative criteria has been satisfied,
11 meaning basically everything that the home
12 occupation stands for all of those things that will
13 be negative which are the adverse effects and
14 things.

15 The home occupation can't negatively impact
16 the neighborhood properties and this home occupation
17 doesn't. This is a no impact business with indoor
18 activity to be carried out by residents for
19 financial gain in a dwelling unit which is clearly
20 incidental and secondary to the use of the dwelling
21 for residential purposes under the definition as
22 such. I repeat, I do not plan to sell out of the
23 house or operate business in the retail way. People
24 can't come and get something.

25 The bulk of the proposed use will be online

1 selling from the home occupation or principal use
2 being residential and secondary use being
3 occupational. I plan to do online sales, but also,
4 of course, infrequent visits by appointment to pick
5 up the item if a customer is local or if the item is
6 not -- if not the item will be shipped by
7 appropriate mail carrier to the customer.

8 When it comes to the positive, there is a
9 point about my financial gain. As positive I would
10 like to bring up, I would like to bring up the
11 assembly of the State of New Jersey which is Jay
12 Weber. He talked about the Home Business Job
13 Creation Act. This has some kind of way of
14 demonstrating a positive because that's the whole
15 point for the zoning. Most zoning ordinances in the
16 1960's and 70's were based on good intentions.
17 Folks want protection of residential neighbors from
18 a negative effect of industries. This occurred at a
19 time when 75 percent of the working public then
20 pursues businesses outside of the home. One-third
21 of all men and women who have downsized from their
22 jobs start their own home businesses which
23 thereafter work for one or two more years until the
24 economy improves. With the impact the current
25 financial downsizing and COVID-19 are having on New

1 Jersey's employment it is important to provide a
2 safe haven for the temporary unemployed to enable
3 them to provide for their own financial stability
4 and less for the government to provide for them.

5 About 25 percent of the newly started home
6 businesses grow to the point where they become
7 employers and move the business out of the home.
8 The nation's changing economic structure and
9 technological developments have catapulted the
10 development of home businesses according to the
11 partnership for home, for work and home. Over 90
12 percent of such businesses do not create traffic,
13 pollution, noise, safety problems of other
14 industries.

15 New approaches and zoning are needed to
16 ensure that very important segments of the economy
17 which may lay groundwork for expansion and companies
18 that later grow to be Fortune 100 or Fortune 500
19 levels which generates many jobs in creating revenue
20 to the state economy and growth.

21 Now, the reason that the article was read
22 is because a majority of home occupational
23 businesses do have the opportunity to grow into
24 Fortune 500 companies like Amazon, Airbnb, Compass,
25 Walt Disney, Apple, Google. A lot of them started

1 from home and they had to go through zoning to get
2 approval themselves.

3 Key elements which lean towards positive
4 for me is minimum impact on the neighborhood, won't
5 create excessive noise, traffic or disturbance to
6 the economic benefits. Home based businesses
7 contribute positively to the local economy. Public
8 welfare consideration of home based businesses
9 benefit the community such as providing needed
10 services by employing local residents which they do
11 with economic growth. Compliance with regulation of
12 home based businesses would adhere to all local
13 zoning requirements related to home based including
14 limitation of hours of operation, clients, traffic
15 and signs.

16 Yes, home based businesses are beneficial
17 to the community. Economic opportunity, they can
18 provide entrepreneurs and small business owners in
19 ways to create jobs, increase the circulation of
20 money in the local economy, keep taxes close to
21 home, community identity. Home based businesses can
22 help communities identify and involve themselves in
23 the community, reduce crime. Home based businesses
24 can help reduce crime by creating activities in
25 residential neighbors that might otherwise be

1 deserted during the day or take strains off the
2 government to provide as well as the bill 2623 above
3 to reduce traffic congestion. Home based businesses
4 can reduce traffic congestion by eliminating the
5 need to commute which helps with emissions like it
6 did when it reduced during COVID and restrictions
7 people working from home.

8 The special reason for this home business
9 is operating a minimum traffic noise, the products
10 are considered unique and a value to the community
11 because there aren't any other similar to compare to
12 another. It serves the good of the public without
13 having any significant harm to the neighborhood
14 which essentially shows that through the ordinance
15 because everything in the home occupation has to
16 stand for it through the definition with the
17 ordinance is what my business stands for.

18 **MS. MUHAMMAD:** A question, you
19 mentioned several times home based business benefits
20 the community and can reduce crime. How does this
21 do either?

22 **MR. TURNER:** Well, that's why I
23 brought the exhibit. The assemblyman sent this,
24 that was my proof here. My proof is corporate
25 restructuring and rise of telecommunication has led

1 to an increase of numbers working from home
2 according to the Small Business Administration
3 Office of Advocacy. Deprivation leads to
4 communities and crime. That's why we see Camden.
5 Deprivation, people get they don't have enough
6 funds, enough money, enough jobs which leads to
7 crime. That's just a simple thing we know that
8 deprivation leads you to do criminal acts, a lack of
9 funds. When that happens to a community. Crime
10 increases and we know this.

11 **MS. MUHAMMAD:** But you are in a
12 community with the condition that you are
13 describing.

14 **MR. TURNER:** Yes.

15 **MS. MUHAMMAD:** It is crime ridden.

16 **MR. TURNER:** I said economic
17 deprivation leads to crime. That's what leads to
18 our crime here. I used that as an example.

19 **MR. EINGORN:** Looking at 87201K which
20 87201 relates to home occupations and home
21 professional offices. K says the sale of goods or
22 merchandise not produced on the premises shall not
23 be construed to be a home occupation under the terms
24 of this section, and what I'm understanding from you
25 is that nothing you are going to be selling is

1 something you are producing at the location.

2 **MR. TURNER:** I'm producing at the
3 location. The minute I put them together with my
4 hands they are produced because they are for a
5 product now. They were knockdown condition when you
6 buy them. The minute they are put together you need
7 a license. Now you can sell them as an item. So
8 it's no different from your local convenience store
9 ordering 7-up or some soda. He doesn't produce that
10 but when he gets to the store he sells it to the
11 consumers. I don't make those parts, but when they
12 come to me I put them together. Now it is a
13 product. So I make it there.

14 **MR. STILL:** I want to point something
15 out. A lot of the research talks about home
16 businesses, home businesses, home businesses, but
17 not specifically to this particular one.

18 **MR. TURNER:** The first thing when I
19 first did this and I read it that was the first one
20 when it was pertaining to me. Home business is
21 because this is a home business. It's considered
22 that by the ATF to be its own business and then they
23 just put FLL in front of it, but it is considered a
24 home business. When you mean specifically talking
25 about the business, I said that in section here when

1 I explained the definitions in the ordinance for you
2 all and the definitions of retail what I do is here.

3 Home occupation entails the ATF zoning
4 because the ATF considers it a home occupation. It
5 is the same thing in your book. That's what they
6 call it and they said you need a home occupation
7 permit. Once you get a home occupation permit then
8 they come out to visit you. Then the second thing
9 New Jersey police have to come and give you a retail
10 dealers license. Now you need that now, and in
11 order to get the retail dealers license you have to
12 attach approval from your zoning. You can't get
13 that without that. So I can be approved by the ATF
14 and be approved to do so, but without the approval
15 from New Jersey I can no longer still do anything.

16 **MR. STILL:** Without our approval. So
17 here is my lesson. In exploring the positives and
18 negatives, this is my last point. We already seen
19 pictures of the machinery and the stuff in your
20 home. How can we guarantee, one, you weren't
21 already doing it and then let's just say approved or
22 denied, let's say how do we know you are not, you
23 haven't already done -- how do we know you are not
24 already doing the work?

25 **MR. TURNER:** By actually selling them

1 myself? Oh, no, no.

2 **MR. STILL:** The machinery is already
3 in the crib. So now I'm just wondering if the work
4 is being done without permission anyway because --

5 **MR. TURNER:** I can't do that. I can't
6 do that. I can only assemble the pieces that I do
7 for myself which is just things I can do with a
8 simple screwdriver, little tiny mallet, things like
9 that and with Allen keys. I can't do that without
10 the proper paperwork. If I did that without the
11 proper paperwork I would go to jail.

12 **MR. STILL:** So you sold nothing?

13 **MR. TURNER:** No, I would go to jail if
14 I did such a thing like that.

15 **MS. RIVERA:** If you were to do it for
16 yourself, how many are you entitled to do it for
17 you?

18 **MR. TURNER:** I can do as many as I
19 purchase for myself, but once I sell it or try to
20 attempt to sell it now I need a license and if I do
21 sell without a license I can get in trouble. You
22 can't trade anymore.

23 Back then you used to trade which means if
24 he had something that he had and he no longer wanted
25 we can trade it, especially if we were family. If

1 he is my family member I can go and say okay you
2 don't want that no more give that to me and you can
3 trade. New Jersey doesn't do that anymore.
4 Eventually they allow you to do a firearm dealers
5 other places, but then they said after that if you
6 keep doing it with the firearm you are actually
7 doing it for sale now. Now you are violating the
8 law because you are not just trading, you are doing
9 it for income and that is illegal now too. You
10 can't do that anymore. So now, at this point now
11 you need a license regardless. ATF is not playing.
12 If you go and sell one of these you are going to be
13 in trouble from --

14 **MS. MERRICKS:** You can't give them
15 away?

16 **MR. TURNER:** I can't give this away.

17 **MS. MERRICKS:** Not that I'm talking
18 about your, after you assemble something you can't
19 give them away?

20 **MR. TURNER:** I can't give them away.
21 That would be illegal. You can't give anything
22 away. No, no that would be illegal.

23 **MR. EINGORN:** I think you read the
24 whole thing. You gave us a lot of information. We
25 heard your positive and negative criteria argument.

1 So why don't we conclude your presentation and we
2 will make pretend to open it to the public because
3 there is nobody here and we will close the public
4 portion because there is no nobody here to talk
5 about it and then we will turn it over to the board.

6 So here is what you have. We have a denial
7 letter which says interpretation is needed for
8 proposed use. The proposed use is a home business
9 assembling springs and parts for firearms. I guess
10 it's the request for an interpretation that
11 assembling springs and parts is a home based
12 business as opposed to manufacturing, but regardless
13 the applicant, even if you granted the
14 interpretation, requires a use variance approval.

15 The board is very familiar with the
16 positive and negative criteria. So I guess the
17 issue is to the extent that the board would give an
18 interpretation would it be willing to grant a use
19 variance, and so I wonder if we do this one in the
20 inverse where you decide whether or not this would
21 be something the board would be willing to consider
22 for a use variance and then if it would we can go to
23 Dr. Williams, ask what the interpretation is and
24 then come back to table it for the interpretation.

25 **MS. MERRICKS:** That's what I think.

1 **MS. MUHAMMAD:** The interpretation
2 would be outlining the ordinance and in the
3 ordinance it doesn't directly say that to sell
4 firearms in a residential zone district is
5 permissible. So that's what the interpretation is.
6 If you were to grant an interpretation it would be
7 to interpret in his favor that somewhere in the
8 ordinance it says it is allowable, but it's not
9 permitted because it's not in the ordinance.

10 **MR. EINGORN:** You are talking about
11 the use variance application. This issue is the
12 interpretation issue and I think we need
13 clarification from Dr. Williams, but the way I see
14 it is would this assembling parts and springs
15 constitute a home based business for manufacturing.

16 **MS. MUHAMMAD:** Right. So when you
17 interpret you are interpreting based off of the
18 ordinance. There is no separate, there is nothing
19 separate. If you were to look up the interpretation
20 meaning for the zoning board it is a clear shot on
21 what that would be. You are interpreting the
22 ordinance and it would be like being interpreted in
23 favor of him if he was granted the interpretation.
24 So if that's not understood then maybe it should be
25 tabled on the grounds of that to understand the

1 interpretation of the ordinance so we can look up
2 the residential ordinance which this clearly isn't
3 in there.

4 **MR. EINGORN:** We know for a fact that
5 this assembling springs and parts for firearms, we
6 know that is not going to be in the ordinance.

7 **MR. TURNER:** Firearms aren't in the
8 ordinance.

9 **MR. EINGORN:** That's not what we're
10 saying. The assembling of firearms even though we
11 said it's not firearms because we don't have the one
12 piece, it doesn't matter, the issue is we know that
13 assembling of parts and springs of firearms is not
14 in the residential zone. It's not there. That's
15 why you are here. The issue is other than granting
16 or denying the use variance for this home based
17 business, what is the interpretation that
18 Dr. Williams wants us to grant or deny which you
19 have already said you don't know.

20 **MR. TURNER:** I had a conversation with
21 Mr. Edwards. When we first talked he thought that
22 the place was a brick and mortar and he thought that
23 I was opening it up and it was like a commercial
24 building and I told him no, it was residential. He
25 said if that's going to be done in the home and he

1 said he had no issue with what I was actually doing.
2 He wanted me to go in front of the board so I can
3 demonstrate photos, schematics and explain that to
4 them and then they can see it. That's what he told
5 me through the phone.

6 **MR. EINGORN:** But that would be a use
7 variance.

8 **MR. TURNER:** That's what he told me I
9 needed.

10 **MR. EINGORN:** He also said you need an
11 interpretation which is number one.

12 **MR. TURNER:** He said interpretation
13 approval so he said go and demonstrate everything.

14 **MR. EINGORN:** I think the point is you
15 are giving it to us secondhand but I think Dr.
16 Williams needs to tell us exactly what kind of
17 interpretation he is suggesting because it is not
18 clear from the letter.

19 **MR. TURNER:** I would like to wait for
20 him too.

21 **MR. EINGORN:** So we've heard all the
22 testimony. We've closed it to the public. Let's
23 get an idea from Dr. Williams what the
24 interpretation is and we will come back and the
25 board can make a decision next month.

1 **MR. TURNER:** Okay.

2 **MR. EINGORN:** Is that --

3 **MR. TURNER:** That sounds good to me.

4 **CHAIRMAN HANCE:** I agree.

5 **MS. MERRICKS:** Yes, to be clear.

6 **MR. TURNER:** It's complicated.

7 **MR. EINGORN:** So we will wait to hear
8 from Dr. Williams and I will reach out to him this
9 week about the interpretation issue.

10 **MR. TURNER:** Thank you. I appreciate
11 it.

12 **MR. EINGORN:** And then -- so we are
13 going to adjourn this one to April. It feels like
14 February, but it is March. So April 7th. There
15 will be no further notice required. So you don't
16 have to publish again, you don't have to put out
17 certified. You are all set for April. Very good.
18 So we will see you then.

19 We still have to do the resolution. This
20 doesn't concern you. You can leave if you want or
21 you can stay.

22 We have the following resolutions from
23 January, there is the January 15th special meeting
24 we had granting a use variance and bulk variance
25 approval for Abed S. Abed, 525 Atlantic Avenue for

1 the storage warehouse, granting nonconforming use
2 for Yehuda Kinelsky, 2907 Cramer Street, granting
3 nonconforming use for Park Norris, LLC. That was a
4 duplex, granting non-conforming use for Park Norris,
5 LLC also a duplex, granting bulk variance approval
6 for Jose Flores, 373 Rand Street. That was the
7 front yard patio, granting use and bulk variance
8 approval for Majea Enterprises, LLC. That was a
9 four unit apartment building, and granting
10 non-conforming use for Queen Stewart. She had a
11 duplex as well. The persons present at that time
12 were Chairman Hance, Ms. Merricks, and Ms. Nunez and
13 Mr. Still. So those persons are eligible to vote on
14 a motion.

15 Do we have a motion to adopt those
16 resolutions?

17 **CHAIRMAN HANCE:** Motion to adopt.

18 **MR. EINGORN:** Is there a second?

19 **MR. STILL:** Second.

20 **MR. EINGORN:** I will take a roll call
21 vote.

22 Chairman Hance?

23 **CHAIRMAN HANCE:** Yes.

24 **MR. EINGORN:** Ms. Merricks?

25 **MS. MERRICKS:** Yes.

1 **MR. EINGORN:** Ms. Nunez?

2 **MS. NUNEZ:** Yes.

3 **MR. EINGORN:** And Mr. Still?

4 **MR. STILL:** Yes.

5 **MR. EINGORN:** And Ms. Rivera was there
6 as well.

7 **MS. RIVERA:** Yes.

8 **MR. EINGORN:** Five in favor and none
9 opposed. The motion passes.

10 And then we need a motion to adjourn.

11 **CHAIRMAN HANCE:** Motion to adjourn.

12 **MR. STILL:** Second.

13 **MR. EINGORN:** All in favor.

14 (All commissioners voted in favor.)

15 **MR. EINGORN:** So moved.

16 (The hearing was concluded at 9:19 p.m.)

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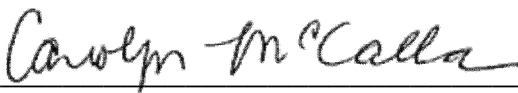
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C E R T I F I C A T E O F O F F I C E R

I, (CAROLYN J. MC CALLA), a Certified Court Reporter and Notary Public, do hereby certify that prior to the commencement of the examination, the witness was duly sworn by me.

I DO FURTHER CERTIFY that the foregoing is a true and accurate transcript of the testimony as taken stenographically by and before me at the date, time and location aforementioned.

I DO FURTHER CERTIFY that I am neither a relative nor employee, nor attorney or counsel to any parties involved; that I am neither related to nor employed by any such attorney or counsel, and that I am not financially interested in the action.



CRR, RPR, RMR

CAROLYN J. MC CALLA

Notary Public

My Commission expires (March 22, 2023)

NJ C.C.R. License No. XI-1219

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